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HONOLULU, H. T., TUESDAY, DECEMBER 20, 1904—SEMI-WEEKLY.

WHOLE No. 2652

INSANE ASYLUM CONTRACT MUST BE CARRIED OUT

**Contractors Refuse to Arbitrate and the Matter
Is Now Up to the Officials of the
Territory.**

The American-Hawaiian Engineering and Construction Company has refused the proposition made in behalf of Superintendent of Public Works Holloway to submit its grievances in the matter of the Insane Asylum contract to arbitration.

The case, therefore, comes back to Mr. Holloway to make the next move. It will be in the form of an order to begin work at once on the contract to construct the main building of the asylum under penalty of declared forfeiture of contract and the resulting suit on the bond given by the contracting concern. There seems, under the law, no other course open to the officers of the Government.

The refusal of the contracting company to submit its claims to arbitration came in the form of a letter addressed to Governor Carter yesterday. In reply he wrote that he could do nothing further in the matter and would therefore refer the whole case back to Superintendent Holloway, with a recommendation to proceed according to the advice of Attorney General Andrews.

The Insane Asylum contract has been pending now before the Department of Public Works for a number of months past. Only a few weeks since, becoming impatient that work had not been begun under the contract, Mr. Holloway wrote to the contractors ordering them to begin work forthwith, and informing them that if this were not done he would take the next step under the law. Mr. Holloway had already consulted the Attorney General upon the matter and had been informed that it was entirely within his power to cancel the contract and proceed for recovery on the bond. In answer to his letter the contracting company represented that in its view he had made an impossible specification in the contract, and asked for time to hear from its representative in San Francisco, Mr. Amweg, relative to the merits of several machines for making concrete blocks as nearly as possible like those called for in the contract.

The contractors were granted until the coming of the next mail from the coast by Mr. Holloway, and, in the meantime, carried their case before Governor Carter, presenting a long statement of what was claimed to be facts from the contractor's side. They were given a full hearing by Governor Carter and the chief executive has gone into the case with the utmost thoroughness, gathering testimony from all the parties at interest, or who have ever had even a remote connection with the asylum contract.

It was immediately following the hearing of the representatives of the contractors on last Thursday afternoon that the Governor submitted to the representatives of the company Mr. Holloway's proposition to submit to arbitration the only point left by the American-Hawaiian people in doubt upon their own representation to the Governor. That was the point as to whether, in the drawn specifications for the Insane Asylum, that clause which provided for the kind of concrete bricks to be used in the walls was ambiguous. Mr. Holloway agreed to leave the determination of this point to any two competent men in the Territory of Hawaii. Upon this statement being made to the representatives of the contracting company they expressed their willingness to have the matter so decided, but left the Governor with the impression that the hitch was in the choice of arbitrators. They were given until Saturday afternoon to cable Mr. Amweg upon this point, the Governor taking upon himself the responsibility for this forty-eight hours of delay.

Instead of naming their arbitrators the representatives of the contracting

"If there has been fraud I want to have it come out. High or low, I want to know it."—Governor Carter.

company wrote to the Governor raising some new points, entirely apart from the matter it had been agreed upon to arbitrate. Upon receipt of this letter Governor Carter wrote that he could not consent to the introduction of any foreign matter at this point. He said that he did not consider it fair to all parties.

And then, yesterday, came the refusal of the contractors to submit the case to arbitration at all. The reasons for the refusal to arbitrate given in the letter of the contracting company are:

"That no arbitration could be binding upon the Government, and even after it had been had there would follow no protection to the contracting company from the proceeding of any citizen who might be inclined to commence injunctive proceedings against them to stop their work; that there was no person in the Territory sufficiently informed upon the matter at issue who was sufficiently impartial to give his decision weight; that the bondsmen of the company under the contract objected to any arbitration without a determination of the question of fraud in the specifications."

FRAUD IS ALLEGED.
And here comes a story. In the hearing before Governor Carter the representatives of the American-Hawaiian Construction Company had said that they would not press any allegation of fraud in connection with the Insane Asylum contract. Nevertheless, in the papers laid before the Governor by the representative of the company that allegation is made. That, in fact, is the story. It is a long story, as told by the documents on file with the Governor, and it must be understood that the story as it is related is the story of the representatives of the American-Hawaiian Construction Company.

This story does not make a direct charge of fraud against Mr. Holloway. It does charge, however, that a trap was set for Holloway in the preparation of the specifications for the Insane Asylum building, and that he walked into it unwittingly.

The story hangs upon the particular specification naming the kind of concrete block that should be used in the construction of the building. Under the specifications, which Mr. Amweg claimed he had not noticed sufficiently until after the contract was signed, it is claimed that a concrete block is called for which must be tamped and pressed at the same time—a thing which the contractors claim is physically impossible and a new departure in mechanics.

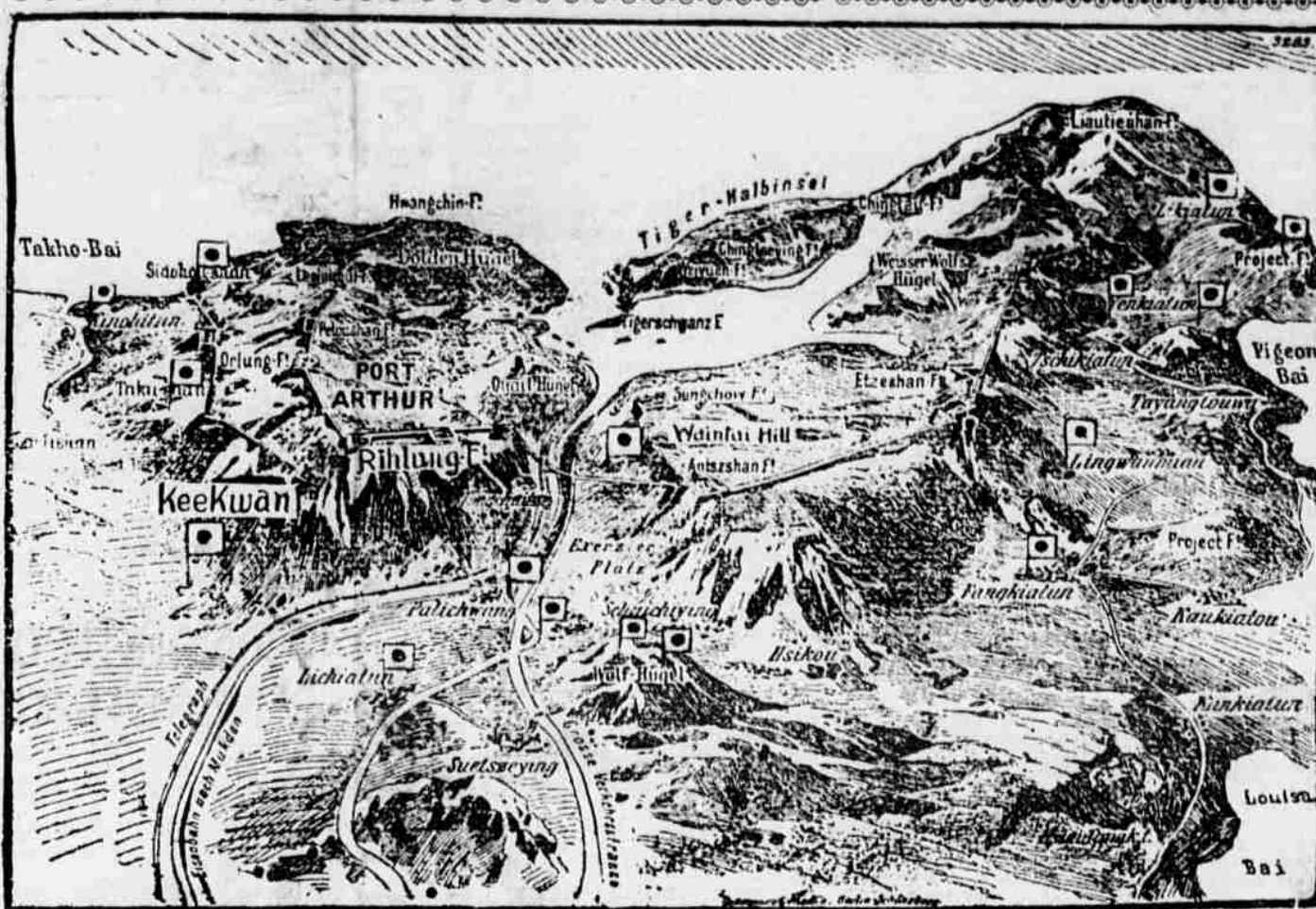
Now the claim is set up that before the specifications were drawn up the architect of the building, F. W. Beardslee, had been informed that L. E. Pinkham, now president of the Board of Health, had made certain concrete blocks by hand, of finer grain upon one side than upon the other, which blocks were shown to Beardslee and Holloway, and made the basis upon which the specifications were drawn. It is charged further in the statement of the contracting company's case on file with Governor Carter that Pinkham had entered into an agreement with the Concrete Construction Company, which was the opposing bidder for the work, to make a machine that would make the contract blocks for the said company, unknown to the American-Hawaiian Company. The contracting company claims that Architect Beardslee admitted to them that he had drawn the plans and specifications for the Insane Asylum building in accordance with the desires of the Concrete Construction Company.

In support of this a copy of a contract is offered purporting to be in Beardslee's handwriting, offering to the representatives of the contracting company they expressed their willingness to have the matter so decided, but left the Governor with the impression that the hitch was in the choice of arbitrators. They were given until Saturday afternoon to cable Mr. Amweg upon this point, the Governor taking upon himself the responsibility for this forty-eight hours of delay.

AN ADVERSE COMBINATION.
Proceeding with the presentation of their case the contractors claim that there was a combination of contractors against them at the time that the contract was let. In proof of this the fact is cited that when their bid was put for this work several bids that had

(Continued on Page 5.)

EXPLODE MINE AND TAKE GREAT PORT ARTHUR FORT



KEE KWAN FORT, LATELY CAPTURED, MAY BE SEEN TO THE LEFT OF THE PICTURE.

NEW RULES PROPOSED FOR GOVERNMENT OF THE REPUBLICAN PARTY

One of the recommendations in the proposed amendments to the by-laws of the Republican party organization presented last night to a special meeting of the executive committee by a committee of five members, was the elimination entirely from all participation in politics of every salaried official in the employ of the Territory. It proposed to go to such drastic lengths as to prevent any one on the Territorial payroll from being a member of a precinct, district, central or executive committee or to be selected as a member of any nominating committee. The recommendation was not concurred in by all the committee members.

During a lively discussion following, led by J. C. Quinn, who favored doing away with all government officials from participation in politics, and Messrs. Harris and Rawlins, opposing, it was asserted by the former that "the people" wanted such a change, and if they did not obtain it they would "wage a war against the government." The others contended that to tie a man's hands by such a rule was to take away from him his rights of citizenship. All agreed, however, that it would be a good principle to limit any man to hold not more than two proxies.

A member said aside that to put a barrier between men on the government payroll and election work would be to throw the political power in the hands of men who could not undertake the grave responsibilities of preparing a party for an election, and that if the framers of such a rule expected to get business men to take up such work they would be greatly mistaken.

The proposed amendments could not be passed upon last night, according

to the rules, but are to be placed before the public for consideration before the next regular meeting.

A memorial from Maui Hawaiians asking that the Governor's attention be called to an appropriation of \$5000 passed by the last Legislature for improving the road between Kipahulu and Kahikulu, but never applied, was read and ordered forwarded to the Governor with a request for favorable action.

W. T. Rawlins, N. Fernandez, J. P. Cooke, W. Y. Horner and A. G. M. Robertson were selected as a committee to frame laws to cover all promises made in the Republican Party platform.

Bids for Kaunana School.

Bids for the building of the Kaunana schoolhouse were opened by the Department of Public Works yesterday. The bids were as follows: H. Kendall, \$1128, and fifty days time to complete the structure; J. E. Gamalieson, \$1159, and sixty days; I. Erickson, \$1201.75, and sixty days; J. Springston, \$1120, and forty days.

The big ship Dirigo may be shifted to Railway wharf No. 2 to remain in strict quarantine owing to her cargo of Shanghai mud. It is said her present position in the stream is unsafe owing to the vessel standing so high out of the water. Dr. Cofer may give the order for the change.

Rebecca Naipo and another girl companion were sent to prison yesterday for a month's stay for making nuisances of themselves.

The Wilder steamers will leave a day late next week owing to Monday being a holiday.

CHADWICK MOVES ON.

PARIS, Dec. 20.—Chadwick has departed from London, ostensibly en-route for New York.

NAN PATTERSON'S DEFENCE.

NEW YORK, Dec. 20.—Nan Patterson testified yesterday that Caesar Young committed suicide.

Admiral Togo to be Recalled—Baltic Fleet Sighted From Cape of Good Hope. Naval Hero Buried.

(ASSOCIATED PRESS CABLEGRAMS.)

TOKIO, Dec. 20.—The Japanese placed two tons of dynamite beneath the North Kee Kwan fort, running shafts forty feet. A premature assault on the 18th, occurring simultaneously with the explosion, killed many Japanese. Huge rents were made in the walls, permitting the entrance of a second attacking party, which met with a desperate resistance. The garrison, however, was annihilated.

The Kee Kwan (sometimes spelled Kewan or Kikwan) Fort is situated on a high hill on the east side of the canyon through which the railway enters Port Arthur. It is a most important position as guns mounted upon it will sweep the northwestern part of the beleaguered city. The Tungkiwanshan forts reported captured in another dispatch are in the inner line of fortifications and command the eastern portion of Port Arthur through a canyon opening out toward the east. There are two forts, one on each side of the canyon that command it but no continuous line of fortification. The Japanese have evidently broken through the last complete ring of forts.

HONORS TO A BRAVE MAN.

TOKIO, Dec. 20.—Commander Yeso, of one of the torpedo boats attacking the Sevastopol, was cut in twain by a shell. Part of his remains were recovered and buried with military honors similar to those bestowed upon the fragments of Commander Hirose in the early part of the war.

TOGO TO BE RECALLED.

TOKIO, Dec. 20.—Admiral Togo will probably be recalled. The Emperor is preparing special honors for him.

THE SEVASTOPOL USED UP.

TOKIO, Dec. 18.—The Russian battleship Sevastopol was torpedoed ten times. She is aground and evidently completely disabled. LONDON, Dec. 17.—Gen. Stoessel is again reported wounded, but not seriously.

ST. PETERSBURG, Dec. 17.—Advices from Mukden say there is desultory firing and skirmishing. Many Japanese were killed by the explosion of a Russian mine in the village of Nangansa.

USANCHEN, Dec. 17.—The movements on both sides are hampered by the freezing of wells and streams. There is no snow and no fuel. Brigandage is increasing.

SIX WARSHIPS ABANDONED.

TOKIO, Dec. 19.—The Japanese have lost two torpedo boats altogether in the operations against the battleship Sevastopol at Port Arthur. The Russians have abandoned the Peresviet, Poltava, Pobieda, Pallada, Bayan and Retvizan.

THIRD PACIFIC SQUADRON.

LIBAU, Dec. 19.—Work is being hurried on the third Pacific squadron.

RUSSIANS WELL FIXED.

port service is working well. The soldiers are comfortably housed. Prices are high. Twenty-eight thousand Chinese refugees are being supported.

EMMETT MAY ACQUITTED

**Jury Takes Several Hours
To Agree Upon Its
Verdict.**

(From Saturday's Advertiser.)

Emmett May was found not guilty of embezzlement by verdict of the jury, rendered before Judge Robinson at 9:30 last night. The jury had been out two and a quarter hours at 6 p. m., when they were given two hours for dinner. Returning they resumed their deliberation at 8 o'clock and the actual time they gave to the case was three and three-quarters hours.

Attorney J. J. Dunne began his closing address to the jury on behalf of the defendant at 10 o'clock and concluded about 12:45. He cautioned the jury against being carried away by the note of sympathy which he said characterized the case for the prosecution as presented. Attorney Bittling received much attention, being held up as a witness bitter with resentment for the names May had called him. Mrs. Bettincourt was accused by the attorney of having attempted to defeat the lawful claims of the creditors of her husband's estate upon his life insurance money that May was charged with embezzling. Mr. Dunne commented strongly on the omission of the prosecution to call Dutra, whom Mrs. Bettincourt had represented as her friend and adviser.

Attorney General Andrews addressed the jury for the prosecution. He dwelt strongly on the conversion of the \$1000 insurance money by the defendant, as agent of the Germania Insurance Co., to his own business purposes, and ridiculed the contention of the defense that Mrs. Bettincourt had of her own free will and accord asked him to invest the money in a corporation that, at the time, had no existence. It rather appeared from the evidence, the Attorney General contended, that the poor woman had been taken into confidence with her "friend" and the defendant to be fooled. As to why the prosecution had not called Dutra, the jury were informed that it was a principle of law that the party calling a witness became responsible for the evidence of the witness, as being the truth. The prosecution had not called Dutra because it could not assume that responsibility.

Instructions of the court to the jury occupied about half an hour and at 2:45 the jury retired to consider its verdict.

With the Police.

M. J. Rodriguez, who deserted his wife and five little children for another woman, was fined \$50 yesterday in the Police Court for a statutory offense, and his companion was fined \$25. Seven new boys of various nationalities were arrested for shooting craps and were immediately taken before Judge Whitney. One was fined \$5 and the others given two months each in the Reform School. F. Sackwitz was fined \$10 for assault and battery. W. Kanahi and D. Kama assaulted W. Anderson early in the evening and are now locked up. Later in the evening Anderson himself was apprehended for swearing and now has a cell next to his assailants. Three drunks, Brown, Cunningham and a Kanaka who would not give his right name, were locked up, and a Chinaman, Lum Chow, is in on the charge of larceny in the second degree. The Chinese seem to have almost a monopoly of this offense.

Sixteen jolly celebrators were arrested at 12:30 this morning for disturbing the quiet of the night near the river. They were making the night hideous with their howls when the police happened along. The tanks were filled last night with a motley crowd of drunks, etc. Altogether it was a memorable Saturday night.

FINE OPENING FOR AMERICAN LABOR

The Los Angeles Times prints this remarkable dispatch:

NEW YORK, Oct. 15.—Wm. Haywood, representative in this country of Hawaiian sugar planters, has just returned from Honolulu. He says that business is thriving there and the Republicans will win, but that the great need of the island is good labor.

"I could guarantee to provide good, steady employment for 60,000 American workmen," said Haywood today. "If they would be willing to live in Hawaii. What our people need more than anything else is labor. Every person who leaves the islands to visit a foreign country has his expenses paid by the planters if he will agree to look about outside of the beaten paths of travel for some good laborers. Our people would be willing to pay liberal wages to 10,000 Americans who wanted to become permanent citizens of that country."

A PROMINENT PUBLISHER EN- DORSES CHAMBERLAIN'S COUGH REMEDY.

Mr. Leon C. Streeter, proprietor of the Worcester, Cape Colony, Standard, says: "For the past seven years, or since we have been in South Africa, Chamberlain's Cough Remedy has always been kept in our household. My wife has found it to be invaluable with the children and croupy symptoms have disappeared with astonishing but pleasing rapidity under its influence." For sale by All Dealers and Druggists, Benson Smith & Co., Ltd., Agents for Hawaii.

OUR "JACK" TRAVELING

**Secretary Creates Fa-
vorable Impression
In Washington.**

Mr. A. L. C. Atkinson, secretary of the Territory of Hawaii, saw President Roosevelt yesterday at the White House offices and later was the President's guest at luncheon. He is one of the successful young men of the Islands, has been prominently connected with the publication of the Honolulu Star and for several months of his official career as secretary has been acting Governor. The President discussed with him several matters of importance to the Islands.

The Territorial secretary has been in New York and now comes to Washington chiefly in connection with a proposed issue of Territorial bonds for about \$1,000,000. He is enthusiastic about the prospects of shipping on the Pacific and is much interested in an appropriation for the improvement of Honolulu harbor, which will be asked of Congress at the approaching session.

That is from the Washington Post. Clearly "Our Jack" is making something of an impression in Washington, although nobody here at home has suspected him of an affinity with the Fourth estate—of course beyond the affinity that all good fellows, and politicians, have with newspaper people.

But there were other favorable reports received from Secretary Atkinson in the mail that came on the Alameda. Governor Carter got a fat letter of a confidential character largely, but there were some things in it that the Governor felt at liberty to talk about for publication. It seems that Mr. Atkinson ran across Governor Winthrop of Porto Rico in Washington and they went to the War Department together to see whether there could not be a stop put to the discrimination made against island coffee in the matter of advertising for bids for supplying all that part of the army of the United States that is quartered in the Pacific States region. That is, Mr. Atkinson labored in behalf of Hawaiian coffee in that special region and it is presumed that Governor Winthrop worked for Porto Rico coffee in the other end of the country.

It seems that when the Commissary Department advertised for bids for the supply of the army posts with coffee it was especially made a condition precedent to bidding that while Java and Mocha and other standard brands might be blended with the cheaper Brazilian coffee, the strong, rich, aromatic coffee of the Kona coast must be put in pure in competition with these cheap graded products. And more than that, it was specified that no coffee that had dirt and stones in it would be considered, which was understood to be a slap at the island product—and that is the cleanest on the market. The secretary labored long and earnestly with the War Department, probably tolling the heads of it some things they did not know before, and seems to have in fact, he created a favorable impression everywhere. This was so marked that he writes that he has been urged by Assistant Secretary of the Interior Acker, as well as by Mr. Burton, chairman of the Committee on Rivers and Harbors, to remain in Washington during the pendency of the bills for the dredging of the harbor of Honolulu and other measures in which the Territory is interested, in order that he may be at hand to give information—and perhaps advice, although Mr. Atkinson says nothing of that.

Mr. Atkinson writes to the Governor, further, that he has been kept busy drafting bills, among them the bill giving the Governor the power of removal, the bill providing for the five years' lease of the Government lands remaining and the bill reimbursing the Territory in the sum of \$175,000, money already expended in the dredging of Honolulu harbor. These measures it was the intention to have Delegate Kuhio introduce in Congress.

The secretary tried to have the survey steamer Patterson sent to Hilo at once to make the survey for the breakwater there, but found that the vessel was in the service of the Department of Commerce and Labor and so the thing could not be done.

While he was dealing with the War Department in the coffee matter Mr. Atkinson secured the regulations concerning the beef supply for island troops. He cabled these to President Wadsworth of the Metropolitan Meat Company here and received a cable reply showing that the local concern can meet every condition imposed. Upon this he was given a warm letter of introduction to the purchasers of the Commissariat Department at San Francisco and will present this on his return journey.

REORGANIZE THE SIGNAL CORPS

The signal corps of the First Regiment National Guard of Hawaii is being reorganized and much new blood infused. A number of young men have recently joined the corps and they intend to engage earnestly in the wiggling business. Among the recent recruits are W. D. Adams, Fred Angus, Hugo Herzer, Jas. Dougherty, Harry Wilder, Sam Chillingworth and Mr. Swartz.

J. W. Springsteen, contractor, arrived from Maui in the Claudine.

BONDS SOLD AT PREMIUM

(From Saturday's Advertiser.)

The Territorial bonds have been sold. The sale includes the entire issue of one million dollars, four and a quarter per cent bonds, to run fifteen years, and the successful bidders are Rudolph, Klaybolte & Company, of New York City. The bonds were sold at a premium of \$1,000 on the entire issue.

The deal was closed, so far as the Territorial officers were concerned, yesterday. It will be closed, so far as the bankers are concerned, to all intents and purposes today.

This decision was reached by the Governor and Territorial Treasurer Campbell yesterday afternoon. There has been considerable cable correspondence during the last few days relative to the sale of the bonds between Secretary Atkinson, who is now in New York, on the one hand, and the Governor and the Treasurer on the other.

Late yesterday afternoon a cablegram was received from Secretary Atkinson saying that the firm of Rudolph, Klaybolte & Co. would take the entire one million of four and one quarter per cent bonds at a premium of one thousand dollars, half the bonds to be issued to them at once, and the remaining \$500,000 in three to six months, at purchaser's option. The purchasers, it was stated, would pay the accrued interest to the date of delivery. This should mean a saving to the Territorial treasury, say that the bonds were not called for in six months, a little more than \$10,000 all told, therefore the Territory will gain over \$11,000 by the deal.

After a consultation between the Governor and Treasurer Campbell, it was agreed that this offer was better than anything that had appeared so far and, as it was known by the officials that the New York financiers could not be played off one against the other, it was determined to accept the proposition.

Accordingly, Treasurer Campbell sent a cablegram to Secretary Atkinson last night authorizing him to close with the offer of Rudolph, Klaybolte & Co. This cablegram should reach the Secretary in New York this morning in time for him to close the deal during morning banking hours on Saturday.

HOW ATKINSON CONDUCTED THE BOND NEGOTIATIONS

(Mail Special to the Advertiser.)

WASHINGTON, D. C., Dec. 5.—Secretary Atkinson has gone to New York today to continue negotiations for the sale of Territorial bonds and to have these bonds printed. His visit here, chiefly in connection with the proposed issue, has been very successful. As cablegrams to Honolulu have already indicated, a satisfactory price for the new bonds is practically assured. Secretary Shaw granted all that was requested in making the Territorial securities acceptable by the government in transactions with National banks.

But the energetic secretary from Honolulu, during the week of his stay here, has attended to half a dozen other important matters. He has been received very kindly on every hand. The President invited him to luncheon. Saturday evening he was one of the guests of President and Mrs. Roosevelt at a White House musicale. Secretary of the Interior Hitchcock and Secretary Shaw have done all in their power to facilitate his mission. He has discussed several Territorial matters with President Roosevelt, who has given fresh assurance of his friendship for the Hawaiian Islands. In an autograph note to Secretary Shaw regarding the bond issue, the President began with these emphatic words:

"I most earnestly wish to help Hawaii."

Before coming to Washington Mr. Atkinson visited New York. There he consulted with several people in Wall street about the proposed issue. The outcome of his visit was not on the whole encouraging. The offers for the bonds were not very good. The financiers believed that the Secretary of the Treasury would refuse to make the bonds available as security for deposits in National Banks and furthermore hinted that the Secretary, who has lately given notice that state and municipal bonds would be withdrawn as securities for such deposits, might even include the first issue, negotiated by Gov. Carter, which is now selling at such satisfactory terms. The New York view, however, proved altogether too pessimistic. Having been able to show that nothing of the kind will be attempted with the first issue of Hawaiian bonds, or could be done, in view of the Secretary's official assurance in writing, and furthermore having secured the Secretary's official consent that the new bonds shall have the same privileged character as government bonds, as far as security for national bank deposits are concerned, Mr. Atkinson can now deal with the financiers on a more independent basis.

Then the fact that Secretary Shaw has recently withdrawn about \$25,000,000 of state and municipal bonds from the list, privileged to be security for deposits, simply enhances the value of the new Hawaiian bonds. They become all the more desirable for National banks, because in many particulars they fill all the requirements of government bonds.

As soon as Mr. Atkinson reached here and established himself at the Albany Hotel, he called at the Interior Department, where he had an interview with Secretary Hitchcock. Following that, after some of the preliminaries for the official approval of the issue had been arranged, he called on President Roosevelt. The President signed the necessary papers, required by the Federal and Territorial laws for an issue of bonds for public improvements. Armed with a note from the President, Mr. Atkinson talked with Secretary Shaw, who, although at first a little adverse, was quickly convinced of the good reasons for extending the deposit privileges to the new Territorial securities. In the formal letter, extending that privilege, after referring to Mr. Atkinson's request that the bonds be made acceptable as security for deposits in banks, Secretary Shaw says:

"I have the honor of advising you that this department will accept these bonds as security for such deposits on the basis of 90 per cent. of their par value, whenever further deposits may be made and that such bonds may at any time be substituted for United States bonds now held as security for such deposits, on condition that the United States bonds released be used as security for additional bank note circulation."

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FISH TABU NOT PENAL

**Konohiki Vested Rights
Have Civil Law
Protection.**

By unanimous opinion the Supreme Court grants the discharge of Fukunaga on a writ of habeas corpus from the penalty imposed by District Magistrate Hookano of Ewa for trespassing on the fishing rights of Oahu Railway and Land Co. in Pearl harbor. The matter went up on appeal from Circuit Judge De Bolt, who had dismissed the writ. Justice Hatch is the author of the opinion, Justice Hartwell and Judge Robinson signing it with him. George A. Davis appeared for the petitioner, Bailou & Marx for the respondent.

It is not because the Oahu Railway & Land Co. have not the vested rights excepted from the abolition of private sea fisheries by the organic act that Fukunaga goes free, but because the vested rights do not include the right of a fishing owner to prosecute a trespasser criminally. As the syllabus of opinion puts it: "Section 1460 of the Penal Laws in so far as it provides a penalty for wilfully depriving a konohiki of his fishing rights by appropriating the tabued fish of said konohiki, or otherwise, held repealed by section 95 of the organic act, and that petitioner being convicted under said section 1460 was entitled to discharge on habeas corpus."

When Fukunaga was arrested a large number of his fellow countrymen, Japanese, were arrested also. He, being the boss, was fined \$50 and costs, in default of payment of which he went to prison at hard labor, but the others were fined only \$1 and costs each, and did not fight their cases further. They were illegally fined all the same, as this decision shows. Among the remarks made in the body of the decision the following are found:

"The intent of Congress is clear to destroy, so far as it is in its power to do so, all private rights of fishery, and to throw open the fisheries to the people. When a right or privilege granted by statute is repealed any penalty provided for the violation of such right falls also. No express words of repeal are necessary."

"Making the sea fisheries free is inconsistent with maintaining an act to punish a trespass upon such fisheries criminally. All rights of fishery, however, were not destroyed by the repealing act. That act was inoperative as far as vested rights are concerned. Such private rights of exclusive fishery in the sea as were vested rights at the time of the passage of the organic act were not affected by the passage of that act, and continue as rights of property notwithstanding the repealing words of section 95. This was settled by *Damon vs. Hawaii*, 194 U. S. 154. Such rights will remain rights of property until they may be destroyed by condemnation and the payment of value. Whether the waters in which they exist are navigable or not is of no consequence."

The court says a vested right cannot be claimed "that portion of the penal laws under which Fukunaga was convicted. 'It gave the right to proceed criminally against one for depriving a konohiki (land owner) of his fishing rights. The law is well settled that there can be no vested right in a remedy. It was fully within the power of Congress to withdraw the original remedy. The right of action is not lost. There remains the same right of civil action for trespass upon a fishery as exists in the case of a trespass upon land."

F. S. Dodge, agent of the Bishop Estate who went to the Volcano House last week, accompanied by Superintendent of Forestry Hosmer to look over the kōa forest in that vicinity, has estimated that there is 20,000,000 feet of good kōa lumber, available for lumbering and export. Averaging this at \$100 per thousand feet the Bishop Estate has a profitable business ahead.

HEARKEN YE!

To the Voice of Honolulu People

If you will but listen to your friends and neighbors they will tell you how the pains and aches of a bad back, the annoyances of urinary troubles, the nervousness, the restlessness which come from kidney ills can be relieved and cured. Read what one Honolulu citizen says:

Writing under date of January 10th, 1899 Jurgen Walter of this city tells us as follows: "My age is 75—well past the ordinary span of life—and I am the parent of eight children. Being so far advanced in years, I regard the relief obtained from Doan's Backache Kidney Pills."

I suffered from a lame back for years, but after taking some of the pills (procured at Hollister's drug store) was greatly benefited, and I am satisfied the pills did me much good."

Our kidneys filter our blood. They work night and day. When healthy they remove about 500 grains of impure matter daily, when unhealthy some part of this impure matter is left in the blood. This brings on many diseases and symptoms—pain in the back, headache, nervousness, hot, dry skin, rheumatism, gout, gravel, disorder, eyesight and hearing, dizziness, irregular heart, debility, drowsiness, dropsy, deposits in the urine, etc. But if you keep the filters right you will have no trouble with your kidneys.

Doan's Backache Kidney Pills are sold by all chemists and storekeepers at 50 cents per box, or will be mailed on receipt of price by the Hollister Drug Co., wholesale agents for the Hawaiian Islands.

BUSINESS FAIRLY GOOD

**Merchants Report That
Trade Is On the
Rise.**

A composite statement of the leading merchants of the city gives the impression that business this year is better than last and that a rushing holiday trade is expected during the coming week. Furthermore, many of them believe that 1905 will be a prosperous year all around.

Some merchants took the occasion to mildly criticize the church fair craze, which, they say, cuts into their business to an extent hardly realized by the public at large. The merchants in the first place contribute to the fairs, sometimes in money, more frequently in merchandise, and then buy tickets, etc. The goods are often times sold for more than the merchants would charge, but as it is all done in the name of sweet charity they have not hitherto been disposed to criticize. Merchants say they are met on all sides with demands for contributions and the end of a year shows that through this medium they have had a heavy drain on their receipts.

Among those who had a word to say yesterday concerning the state of trade were the following:

H. F. Wichman & Co. (jewelers)—Business is quite up to the usual conditions. It is going to prove up very nicely this year in all our departments. In fact, our business is extremely good.

Henry May & Co. (grocers)—We are getting a good share of the holiday trade. Our island orders are very heavy and equal those of last year, if not better. We expect the real Christmas rush to commence tomorrow.

Gunst-Eakin Co. (cigars and tobacco)—Business is much better than last year. It's pretty brisk.

Pearson & Potter (sporting goods and typewriters)—Business has been improving materially of late. I expect the coming week will show good results.

McInerney Company (gent's furnishings)—We cannot say that business so far has been of the best. Of course there is a week yet to come and that might turn out to be lively.

McInerney Shoe Company—We're having a pretty busy week.

Dimond & Co. (crockery)—It is a little early to estimate Christmas trade, although business is pretty fair. I think that next week we will have a pretty good business.

Hawaii & South Seas Curio Co.—We are having a fair trade, especially in Hawaiian goods. The things mostly desired this year seem to be particularly of the Hawaiian type or of the South Seas. Cheap California substitutes are not desired and are not easily disposed of.

Wall, Nichols & Co. (stationery and toys)—Pretty fair trade is our report. We look for a large increase of business next week. Our toy department, or Santa Claus emporium, has attracted a large trade.

Lewis & Co. (grocers)—Business is fair. We have no complaint to make. I think the holiday trade will in the long run prove very good for all the merchants. People are feeling a little jubilant over the increased price for sugar. Our trade is coming along.

Hobron Drug Co.—Our business is fair enough. Of course we don't carry what might be termed a Christmas stock, but we have a large stock which people generally buy for presents.

Hollister & Co. (drugs)—Our business is fair—look for better next week.

L. B. Kerr & Co. (dry goods, gent's furnishings, etc.)—Business is very good, indeed. We are enjoying a good trade, better than last year, although we were not quite in readiness then to take in all the trade that offered. Our nightly Santa Claus attraction has brought many customers. We still have two Saturdays and a whole week and I look for a big trade all around.

Sachs & Co. (dry goods)—Pretty good trade. Next week ought to bring in good business. People are always late at Christmas time and put off buying until the last moment.

Pacific Hardware Co.—Business good. A. Blom (dry goods)—This month has been a pretty good one and a good deal better than December of last year. I look for a prosperous year in 1905.

Pacific Import Company (dry goods)—Business is picking up.

Honolulu Photo Supply Co.—Pretty good business.

Jordan & Co. (dry goods)—We are doing a pretty fair holiday business.

Bergstrom Music Company—Our business is fine. We are selling lots of musical instruments for Christmas presents. Disposed of a couple of pianos and a pianola yesterday.

GEORGE EWART ON HIS WAY HOME

George Ewart, the former plantation manager, writes from Mexico that he expects to be back in Honolulu by New Year's. Mr. Ewart has been going over the Hidalgo rubber and coffee plantation for San Francisco and Honolulu parties and has completed his investigations. Concerning coffee he says that Mexico presents a better field for growing coffee than Hawaii. The slopes are protected from wind and the elements in general and crops are luxuriant.

McClanahan Very Ill.

News was received yesterday that E. B. McClanahan, formerly with the law firm of Kinney, Bailou & McClanahan, is a very sick man in Chicago, and that fears are entertained that he will not recover.

MINORITY COMPLAINT

It Is That the Majority Would Not Permit Inquiry.

(From Saturday's Advertiser.)

Passing the responsibility of failure as alleged to investigate fully the charges of fraud in the recent general election up to the majority of sixteen members was the tenor of the report of the minority of six members of the Federal Grand Jury presented to Judge Dole yesterday morning. So far as the refusal of the District Attorney to call witnesses was concerned, the minority contented itself with reciting the facts of such refusal. There is a sarcastic reference to the ante-election profession of the Territorial administration that it desired a fair and legal election, followed by the expression of a conviction that the efforts to secure that end were but indifferent. By implication alleging that the election was not fairly conducted the minority concludes with a recommendation to Congress in behalf of amending the election laws of the Territory so that no loophole for irregularities shall be left. Following is the minority report:

Honorable Sanford B. Dole, Judge of United States District Court, Territory of Hawaii:

Sir—A minority of the Grand Jury impeached and sworn and charged by you on the 12th day of December, A. D. 1904, begs to submit herewith the following report:

We dissent from the report of the majority of this Grand Jury as we believe sufficient evidence has been produced for this Grand Jury, which, if properly brought out would have secured a conviction for offenses against the election laws of the United States, viz: Sections 5408, 5403 and 5508 of the Revised Statutes, if taken before a trial jury.

Other alleged violations of Federal laws besides those testified to by the witnesses present came to the knowledge of this jury in the course of their deliberations, and were not investigated.

There was an absolute refusal on the part of the majority of this Grand Jury to further pursue investigations which in the opinion of the minority would undoubtedly expose numerous other frauds and violations of the law punishable in this jurisdiction.

The names of twenty-seven witnesses besides those summoned were presented to the jury and evidence was given as to what they would testify to, showing conclusively the corrupt and fraudulent methods adopted with respect to the late election throughout the entire Territory.

When Colonel C. P. Hauke, the defeated candidate for delegate to Congress, applied to the United States District Attorney with a list of witnesses he replied as follows:

Mr. Breckons to Mr. Hauke—"Up to the present time nobody has laid before me, as District Attorney, any complaint of any violation of the Federal laws relative to the recent election. You now hand me a list headed 'Witnesses who should be subpoenaed before a Federal Grand Jury.' I decline to receive any dictation as to what persons shall be brought before the Grand Jury to prove violations of Federal laws. In the matter of subpoenaing witnesses I shall be guided by my own judgment or the directions of the Grand Jury itself. In declining to subpoena witnesses in accordance with your dictation I do so for the reason that I know nothing whatever of what such witnesses might testify to. Any further communication with me on the subject must be had in writing."

Mr. Hauke replied to Mr. Breckons: "It is not in any way suggestive. I hand you this list, so that you can use it at your own discretion."

Mr. Breckons replied: "I reply that I shall lay before the Grand Jury what has happened relative to subpoenaing witnesses. That is all I have to say."

It is a matter of common knowledge that the voting this last election was substantially not secret. Probably a majority of the total number of ballots cast throughout the Territory were numbered, so that the identity of the voter of each ballot so cast could be conclusively established. This was due in the main to the neglect, and in some cases, the refusal of inspectors to remove from the ballot its number before placing it in the ballot box.

It is claimed that this failure to insure the secrecy of the ballot specifically provided for by law, on the part of those to whom the enforcement of the law was intrusted, came about not through design but through the stupidity and ignorance of the inspectors. It is unfortunate in this connection that the failure to carry out the law resulted to the advantage of those to whom the enforcement of this law was intrusted, to wit, the party in power. It would be extremely unfortunate for the good name of this Territory if the failure to procure the secrecy of the ballot should have come about through the hands of the very administration which was seeking to enforce a straight party vote from every one receiving employment from the Government.

We believe that further investigation should be had not only on the vital point, whether the neglect to secure the secrecy of the ballot was through design or inadvertence, but also to determine fully what steps should be taken to prevent a repetition of this evil. But the majority of the Grand Jury have declined to make any further investigation, and the minority are helpless to enforce it. Perhaps further investigation may be futile, but we believe it should be made. There is no evidence before us yet upon which we could determine

whether the wholesale deprivation of the voters of this Territory, of their lawful right to a secret vote, was through design or inadvertence, nor with our investigations justify any specific recommendations as to the cure; but in any event we believe, the Territorial Government is responsible for non-enforcement of the law. How deep this neglect has been, and whether criminal or not, as to any particular official or officials, we are not prepared to say, but we believe the Territorial Government had it in its power by vigilance and proper precautions to have secured a far better enforcement of the election laws than was secured to the voter this past election; and we recommend to the consideration of Congress, which has the control of our election laws in its hands, that the defects in the law which can permit such wholesale disregard of vital features of our election laws, be remedied so as to make it impossible that there should be a repetition of the unsatisfactory methods in vogue this last election.

All of which is respectfully submitted.

(Signed) S. M. Damon, John Effinger, H. McCriston, H. A. Wilder, J. S. Spitzer, J. W. McDonald.

THE COURT'S DISMISSAL.

Judge Dole thanked the grand jurors, on behalf of the public, for their faithful and cheerful attention to the matters submitted to them. The subject matter handled by them had been one of peculiar delicacy and the fact that they had performed their duties with harmony and without apparent friction was something to be appreciated, as was also the evident frankness of the reports of both majority and minority. It was absolutely necessary, Judge Dole proceeded, that the election laws be kept inviolate. It would be hopeless to attempt to obtain the will of the people if the ballot were not kept free and secret, and the rights of the people would be prejudiced in a most essential feature if that were not done.

SHE WAS DRIVEN INSANE.

Mabel Scott Hurt, by her attorney, Henry E. Highton, has filed an answer to the libel for divorce brought by her husband, Alba M. Hurt. She denies in detail his allegations of cruelty on her part. Ever since her departure from Honolulu under the compulsion of the libellant, on or about September 30, 1902, and for a long time previously, she declares, the libellant has been employed as yardmaster of the Honolulu depot of the O. R. & L. Co. at a salary of \$150 a month, while ever since the date mentioned she and their son, George Melton Hurt, now nearly four years of age, have been destitute and living on the charity of her relatives at Pomona, Cal., who are all themselves poor.

Mrs. Hurt appends to her answer, with references to it therein, the copy of an agreement made between her husband and herself at Pomona on January 23, 1903, whereby they agreed to condone all previous grounds of mutual recrimination and thereafter live in a state of separation. Hurt engaged to pay his wife \$25 a month thereafter as a permanent allowance. She declares that he has only paid her \$10 since that agreement was executed and claims that he now owes her \$565 thereunder.

Mrs. Hurt says the reason her husband refuses to pay the maintenance agreed upon is a claim he makes that part of the consideration of the agreement was that she, within one year, would institute divorce proceedings against him. According to her information such a bargain would have been illegal if made and she denies that it ever was made. So much did she suffer from his violation of the contract that she was confined in an asylum for the insane, from which she has but recently been released.

Praying that the libel in divorce may be dismissed Mrs. Hurt asks that, failing such relief, the proceedings may be stayed until her husband has paid the \$565 due under the Pomona agreement.

INSURANCE COMPANY LOSES.

After a trial without a jury yesterday, Judge De Bolt decided the suit of Lee Ahlo vs. Royal Insurance Co. in favor of the plaintiff for \$2000 and interest at 6 per cent per annum from March 14, 1900. Castle & Withington for plaintiff, Robertson & Wilder for defendant.

NEW BISHOP ESTATE TRUSTEE.

E. Faxon Bishop's election as a trustee of the estate of Bernice Pauahi Bishop, in place of W. F. Allen, who resigned on Nov. 25 last, was yesterday confirmed by Judge Robinson, to take effect upon the new trustee's filing a joint and several bond of himself and his co-trustees in the sum of one hundred thousand dollars.

PROBATE MATTERS.

Judge Robinson has appointed S. Ochiai as guardian of the estate of Mine Sakuragawa, a minor, living with her mother in Tokyo, Japan, under \$700 bond. The estate consists of the distributive share of the minor in her late father's estate, the amount being \$672.90, which is in the hands of Henry Smith, clerk of the Judiciary department. Ochiai is cousin of his ward.

J. H. Craig, executor of the estate of Constant Sterling, has filed his bond in \$2500, with F. J. Lowrey and E. O. White as sureties.

COURT NOTES.

Notice of motion to set cause for trial has been given by plaintiff in the ejectment suit of J. O. Carter vs. Koolau Kaikainahale et al., which will be presented before Judge Robinson on Monday. Kinney, McInahan & Cooper for plaintiff; C. W. Ashford, H. E. Highton and J. J. Dunne for defendants.

It was stipulated on Thursday that the suit of James E. Fullerton vs. Kohala and Hilo Railway, assuming on promissory note, might be heard in vacation and set for trial yesterday or as soon thereafter as the judge might order. An insurance case on most of the day prevented the hearing yesterday.

Judgment for defendant in the ejectment case of Blanche Lewis vs. Iola K. Kahinu, with costs against plaintiff, was rendered yesterday by Judge De Bolt pursuant to oral decision made November 22. Defendant's bill of costs was cut down from \$28 to \$12.

IT WILL BE POSTMASTER PRATT IN A FEW DAYS

(Special to the Advertiser.)

WASHINGTON, NOV. 16.—GOVERNOR CARTER HAS RECOMMENDED J. G. PRATT FOR POSTMASTER OF HONOLULU. IT IS EXPECTED THAT THE PRESIDENT WILL SEND MR. PRATT'S NAME TO THE SENATE ON THE 20TH.



J. G. PRATT, WHO WILL PROBABLY BE THE NEXT POSTMASTER OF HONOLULU.

JUDGE LITTLE OF HILO IS THE MAN NOW AT PANAMA

port of this, he said that the whole treaty was in violation of international law and therefore void. Panama was not a sovereign and independent power and possessed no treaty-making power.

He said: "The treaty was signed by this infant republic, while in the political convulsions of birth, with no political mind. An Eastern paper prints a picture of Judge Gilbert F. Little in correspondence from Panama, wherein the Judge's part in defending the lottery company is detailed. Following is an extract:

Judge Little's argument proved to be a comprehensive statement of the claims of Panama. He contended that the president misunderstandingly interprets the treaty in especial relation to the score of sovereign power over the zone.

"He forgets," said Judge Little, "that outside of what is necessary and convenient for the construction of the canal, the treaty is silent and he is absolutely powerless to read into the treaty lines that are not there and read out any of its plain provisions."

The Judge then made the astonishing declaration that the treaty itself was not entered into regularly and was, in fact, not a binding force upon either the United States or Panama. In supposing to have fixed principles and too weak to defend them. I might here remark that it is not usual for the midwife to take the baby in liquidation for services rendered. The president did this, however, in this case, and the United States took advantage of its weakness and inability to dictate terms which should surely have been demanded by any formidable government. The United States was practically making a treaty with itself.

"There is no record that this infant republic had the first vestige of authority from its people. Yet some of the officials of the United States claim that this poor little infant republic should be held with its hands tied and its sustenance taken from it because they have the power to do it."

"This is a question of American honor. And the people of the United States have too proud a sense of justice, are too conscious of their own strength, to permit any false construction to be put upon this treaty by the president in order that he may wring from so weak and friendly a nation rights, privileges, revenues or concessions which it could justly resent, under the rules of international law, if it had the physical power to do so."

This speech caused a great sensation throughout the land and it was significant that, immediately after its delivery, Gov. Davis, evidently under orders from Washington, began to relent and the regular weekly imposition of some new order further limiting the sovereignty of Panama ceased. Gambling and selling lottery tickets, however, is still barred in the zone district, and one can hear negro cab drivers excitedly talking about "interference with vested rights," though it is frequently doubtful if they know what that is all about further than that the zone rules somehow or other affect them.

Carlos Duque, son of the head of the lottery company, is the author of the statement that something that resembles graft is already in vogue in the zone. He said: "When the United States police began to arrest ticket sellers a certain police official in the American government's employ came to me, he said, in an official capacity. I told him that in that capacity I would not talk with him. I added that I would be glad to talk with him unofficially. We discussed the lottery case and then he began to tell me, with significant accent, how the canal employees were mistreated and how he needed money. I instantly ordered him out of my door and I have not heard from him or his 'official' business since."

THE TRUTH ALWAYS.

"When you are in doubt tell the truth." It was an experienced old diplomat who said this to a beginner in the work. It may pass in some things, but not in business. Fraud and deception are often profitable so long as concealed; yet detection is certain sooner or later; then comes the smash-up and the punishment. The best and safest way is to tell the truth all the time. Thus you make friends that stick by you, and a reputation that is always worth twenty shillings to the pound everywhere your goods are offered for sale. We are able modestly to affirm, that it is on this basis that the world-wide popularity of WAMPOLE'S PREPARATION rests. The people have discovered that this medicine is exactly what it is said to be, and that it does what we have always declared it will do. Its nature also has been frankly made known. It is palatable as honey and contains all the nutritive and curative properties of Pure Cod Liver Oil, extracted by us from fresh cod livers, combined with the Compound Syrup of Hypophosphites and the Extracts of Malt and Wild Cherry. A combination of supreme excellence and medicinal merit. Nothing has been so successful in Anemia, Scrofula, Bronchitis, Influenza, Loss of Flesh and Wasting Diseases, Weakness and Low Nervous Tone, and all complaints caused by Impure Blood. Dr. Austin D. Irvine, of Canada, says: "I have used it in cases where cod liver oil was indicated but could not be taken by the patient, and the results following were very gratifying." It cannot deceive or disappoint you, is effective from the first dose and comes to the rescue of those who have received no benefit from any other treatment. It represents the dawn of progress. Sold by all chemists everywhere.

WILLIAM BLAISDELL BURIED YESTERDAY

(From Monday's Advertiser.)

The funeral of William Blaisdell took place yesterday afternoon from his late residence on Young street, near Pilioki, the interment being in Nuuanu cemetery. The services were attended by a large number of friends and relatives, and the floral tributes were quite numerous.

Rev. W. M. Kincaid of Central Union Church officiated both at the residence and at the grave. A choir composed of Mrs. Cornelia Damon, Miss Damon, Miss Yarrow, Rev. Mr. Logan and Mr. Hutchins sang effectively "Nearer, My God, to Thee," and "Rock of Ages."

The pall bearers were Messrs. C. W. Ashford, Carlo Long, Colonel C. J. McCarthy, Charles Wright, Charles Falk, Frank Kruger.

Mr. Blaisdell was seemingly in the best of health all day Saturday. He attended the football game in the afternoon, where, it is said, he may have overtaxed himself, for he was one of the most enthusiastic of spectators. After the game he went almost directly to the home of John Colburn, where he expected to dine. He sat down on a sofa and presently was stricken with paralysis. Dr. Wood was called and after some time the patient seemed better and he was sent to his home. He chatted with his family and some friends for a while, but finally fell asleep and never awoke.

BROWN FOR COUNTY AND A BREAKWATER

Senator John T. Brown of Hilo, representing East Hawaii, arrived in the city yesterday on the Kinau. He will remain over until Tuesday and possibly until the following week.

"I have not fully mapped out my plans for the coming session," said the Senator yesterday, "but of course the Hilo people want County government. I shall also be prepared to support a memorial to our Delegate to Congress to urge an appropriation for a breakwater at Hilo."

WANT NO OFFICIALS AT CONVENTIONS

"No person holding an office under the Territorial government shall be eligible to election as a delegate to a nominating convention or as a member of the Territorial Central Committee or the District committee or the executive committees thereunder," is the sense of a resolution adopted last night by the Elkhart Precinct Republican Club of the Fourth District.

The meeting which took this view of the political situation in the Republican party was presided over by Jack Lucas, the president, with C. L. Beal acting as secretary. About fifteen members of the club were present and the discussion created by the presentation of the resolution embodying the above dictum, was interesting. The meeting was called primarily to fill vacancies in the list of officers, and this resulted as follows:

F. B. Damon, vice president in place of J. K. Kamaoulli, removed to the ninth precinct; C. Hustace, member of the executive committee, in place of J. C. Quinn, now of the ninth precinct.

FORESTRY ON MAUI

Campaign Against Insect Pests—Official Reports.

Following are portions of the valuable reports made at Wednesday's meeting of the Board of Agriculture and Forestry, one by Forester Hosmer on Maui forest reserves and another by Entomologist Craw on insect pests:

In accordance with your request, I submit herewith a report upon the forest questions contained in the proposition of the Haleakala Ranch Company, of Maui, made jointly to the Board and the Commissioner of Public Lands, under the date of November 2, 1904.

It is suggested by the Ranch Company that the forest of the government land known as the Ahupuaa of Makawao, otherwise and locally, as the Board of Education Land, containing 2021 acres, more or less, be set apart as a forest reserve. To this area they propose shall be added the forested portion of the Ahupuaa of Kailialui, containing 2752 acres, more or less, and also that part of the same land lying in the crater of Haleakala, in the watershed of the Keanae valley, 2966 acres more or less, this provided that the proposed exchange shall be consummated. Makawao is in the district of Hamakua, Kailialui in Kula, both on the island of Maui. Their relation to each other and to other adjacent lands is shown on the large scale map, submitted with the Ranch Company's report and now on file in this office.

The forest portion of the Ahupuaa was fenced by the Ranch Company about eight years ago and stock has, since then, been kept out of the forest.

The forested section of Kailialui has only recently been set apart, but a fence now extends along its western edge from the lower reserve to the steep fall above the Koolau Gap and the cattle have been got out of the woods. There is said to be a band of wild cattle in the main forest, some distance makai of this fence. No estimate can be given of its size.

Having personally visited the lands in question and gone over the ground in some detail, I am reasonably familiar with the conditions thereon. My personal knowledge of the district has been supplemented by conversations and conferences about the lands with the gentlemen most familiar with them, held during Governor Carter's recent visit to Maui, and at other times.

The area which it is proposed be set apart and added to, consists of a belt of forest, composed mainly of Ohia and Koa trees, which stretches up the northeastern slope of Haleakala, from an elevation of about 2500 feet, near Pihilo Hill to between 6000 and 7000 feet, near the Koolau Gap—the great break in the crater wall of Haleakala, at the head of Keanae valley. This area is some twelve miles long by about one and one-half miles wide.

The forest on this belt is the western edge of the great Koolau forest, which covers, in an unbroken stretch, all the eastern side of Haleakala.

As the principal value of a considerable portion of the Koolau District is on account of the water that can be developed therein for the irrigation of the great Waialuku Plain, it may be well in passing to consider the source of this water.

The Koolau District can probably boast as heavy precipitation as any area in the Territory.

The highest records are from the Keanae section, where, at Nahiku, 400 inches in a year have been recorded. On either side of this section the rainfall diminished, but more gradually to the North than to the South. In general the conditions governing precipitation must be similar to those obtaining in the Hilo District of Hawaii, as both sections are situated on the eastern side of high mountains, subject to trade winds. As yet not very much is definitely known as to the exact way in which rainfall is distributed over eastern slope of Haleakala.

For some reason the upper limit of the heavy precipitation seems to be higher on Haleakala than on Mauna Kea, a fact that makes it desirable that the forest be kept intact up to a higher elevation than in Hilo.

The present edge of the Koolau forest is not alone the arbitrary line where the trees now stop, and the grazing land begins. It is, as well, almost identical with the place where the area of heavy precipitation finally fades away into the drier climatic conditions of the Kula district. This transition is a fairly sharp one, for the region just beyond Olinia, which is only a little way outside of the forest, is as dry as part of Kula; a condition probably due to the influence of the mountain upon the wind currents, for the winds from either direction die out on reaching this locality.

Its present edge may therefore be considered as the natural boundary of the Koolau forest, as well as the limit of rainfall that can be depended upon. But this is not the only reason why the present forest should be maintained. The nature and configuration of the country is such that in the strip of forest under question, head all the important streams from the Hailko gulch to the Keanae valley; all the streams in fact that drain the heart of the Koolau district.

Nowhere in the Territory has there been such systematic development of the water as in this district. And with the completion of the new ditches large additional areas, now of only comparatively small value, will be made highly productive, with a consequent gain of just as much in the

(Continued on page 6.)

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TUESDAY : : : DECEMBER 20

NATIONAL FARM WEALTH.

Commenting on the estimate that the value of the products of the farm during 1934, excluding the value of crops fed to live stock to avoid duplication, was \$4,900,000,000 the Secretary of Agriculture, in his annual report, says:

"An occupation that has produced such an unthinkable value as one aggregation nearly \$5,000,000,000 within a year may be better measured by some comparisons. All of the gold mines of the entire world have not produced since Columbus discovered America a greater value of gold than the farmers of this country have produced in wealth in two years; this year's product is over six times the amount of the capital stock of all national banks; it comes within three-fourths of a billion dollars of equaling the value of the manufactures of 1930 less the cost of materials used; it is twice the sum of our exports and imports for a year; it is three times the gross earnings from the operations of the railways; it is four times the value of all minerals produced in this country."

The Secretary has something of great interest to Hawaii in the following observation:

"We buy over \$200,000,000 worth of tropical countries that can not be grown in continental United States. Through scientists sent from the United States to the several island groups the Department is instructing the people of our island possessions to grow these things, such as coffee, rubber, fibers, drug plants, nuts, fruits, spices and the like."

Yet there are people in Hawaii who say that we can never make anything out of supplying the continental folks with such diversified products, or any staple but sugar, because of inadequate transportation facilities, bugs, flies, worms and what not. And, as to the Federal helping hand itself, Hawaii is compelled to appeal to the Washington authorities for obtaining fair play for its coffee in the army and navy commissariats. Besides what the Department of Agriculture is doing as stated by Secretary Wilson, for which we are truly thankful, the co-ordination of the Treasury Department is needed for promoting such tariff revision as will encourage the production of tropical staples under the American flag, which can be done not only without unduly taxing the consumers but rather benefiting their pockets through assurance of best value for their money. Speaking of coffee, there is no doubt that a large proportion of what our continental fellow-citizens imbibe would be regarded by them, after they had tried the Hawaiian article, as quite intolerable.

The Maui delegation to the Legislature is reported as being in favor of putting through the business of the session within the sixty days prescribed by the Organic Act, thus avoiding the necessity of the thirty days' extension the Governor in his discretion is empowered by the same authority to grant. Long hours, short speeches and honest application to business are the ingredients chiefly required for the prescription to that end, a consummation that all the people must devoutly wish. The reduction of interpreting to the lowest possible minimum would be a great time-saver. An interpreter too fond of hearing his own voice and who has not the faculty of condensing ideas from verbiage, when it contains any ideas, should not be employed.

Mr. Lycurgus will add to the modern comforts of the Volcano House and reduce the prices of board and passage, which have always been too high. At the rates proposed, the house should be kept filled. Truck and forage farming are so successful about Kilaua, beef is so cheap on the ranges and chickens, ducks, geese, turkeys, pigeons, hogs and dairy stock do so well, as to make it possible to have a fine table at small expense. The public, knowing Mr. Lycurgus's capabilities as a manager, will expect to see the Volcano House boom.

If the Federal authorities have a man and money available to come here and investigate the existence of glanders, it does not appear wise to hold them at arm's length. Sporadic and rare as cases of the equine distemper may be, it is from such faint origin that epidemics of diseases sometimes leap forth with little warning. Glanders is something to be stamped out and if it cannot be completely done by the local veterinary talent, by all means let the Territory accept the Federal assistance offered. That is what the money and the man are for.

Mexico is not a paradise for the workman who has experienced anything like American labor conditions. P. Maurice McMahon makes clear in his breezy letter from that country in this issue. Even Japanese direct from their own over-crowded islands found a very little of Mexico all they wanted of it, and if any Portuguese had been turned from Hawaii, with promise of comfortable settlement there, pity the heads on which their curses would fall for the sending of them thither.

THE FORESTRY PROBLEM.

Any persons whose minds are hazy as to the utility of systematic forestry in this Territory ought to read the various reports of Forester Homer as they appear. One upon the proposed forest reservation on the island of Maui will be found in this issue. Mr. Homer there, as in his previous reports of forestry matters elsewhere in the group, makes it clear that forests are intimately connected with the benefit of agricultural enterprise in the Territory. As in other parts of the Union and foreign countries, the aim of intelligent forestry here is to strike the proper balance between the maintenance of forests and the utilization of land for development. It would not do to give too much land up to the dominion of the wild woods and it would be equally a mistake to prevent matured timber from being culled and put to commercial use. To preserve and propagate forests where they will advantage climate and agricultural conditions while at the same time avoiding measures that would unnecessarily tie up land areas or block legitimate enterprise, is the problem of modern governmental forestry. It is for the best solution of this problem that men are being professionally trained and great congresses of forestry specialists convened.

The sale of the second million of bonds of the Territory of Hawaii at a substantial premium is announced this morning. Secretary Atkinson, therefore, may be said to have been successful in the accomplishment of the chief object of his trip to the mainland. For a man inexperienced in the manipulation of high finance, it is a notable achievement, and the Secretary is to be congratulated upon the address he has displayed. It is gratifying, moreover, to find that the credit of the Territory is ranked so highly in the money center of the world. Capital, the world over, is chary of extending credit to new communities. The capitalists of New York are especially conservative, as has been found by many communities older than Hawaii who have gone into that market seeking a loan. That Hawaiian securities should have been accepted so freely, at even a small premium, is a marked demonstration of the fact that the men who watch with most shrewd eyes the course of events have very high confidence indeed in the future of this rich land—and in the stability of its institutions. Hawaii is in line with the most progressive commonwealths of the mainland of America.

If it is true that three steamers with ammunition and provisions have run the Port Arthur blockade, it does not necessarily follow that the cargoes have been delivered. Several days ago Tokio reported that three commercial vessels had been sunk by the bombardment from 203-meter hill. No vessel can enter the besieged port without being seen by the Japanese gunners. Of course fog sometimes hides the view, but no blockade runner would approach the narrow, difficult and well-mined entrance to the harbor unless it could see its way and be recognized as a friend. Coming under the latter circumstances any blockade-runner would be exposed to the Japanese fire.

Raisuli, the celebrated bandit, has laid in his winter supply of captives, eleven in all. The ransom for these should see him through until the approach of the Easter bonnet season, when the entire harem will clamor for funds. Raisuli seems to have developed the ransom business to a point of such efficiency as to warrant the suspicion that the Moroccan government is a silent partner in his enterprise.

It is quite possible that the \$1,400,000 bill for a Honolulu public building is the measure drawn to secure the Young block. Alexander Young and J. G. Pratt have been in Washington for some weeks at work on this project and it is about time to look for concrete results. We are not persuaded, however, that the matter will go much further than the introduction of a bill, for when the Government sets aside a million or so for a public building it likes to choose its own site and make its own design.

It is altogether likely, as forecasted in this paper some time ago, that the next Postmaster of Honolulu will be J. G. Pratt. Mr. Pratt came here in the early days of the boom and has been of great service to Hawaii in putting through Congress the measure to pay this Territory \$1,000,000 in settlement of the fire claims. He is accounted a shrewd organizer, well fitted for administrative tasks, and he is accommodating and popular. Mr. Ott, the present postmaster, could not make way for a more satisfactory man.

If it should happen to appear that Federal Attorney Breckons had acted, in the Grand Jury election case, according to the views of the Attorney General of the United States, the critics of the former may as well settle the rest of the controversy with the latter. In the judgment of this paper the disgruntled sharpshooters are not firing high enough.

If Queen Liliuokalani had as many relatives as mainland newspapers record, not all the crown lands indemnity she asks from Congress would go far in supporting them—that is to say if they all assumed royal titles and lived up to them, like the esthetic dame of Punch with her antique teapot.

The President keeps a watchful eye on the courts in the suburbs. He has forced out a circuit judge in New Mexico for lax administration; also a judge and marshal in Alaska. The tab he keeps on the private character of judges shows that the President needs no advice upon the subject of a clean bench. He knows precisely what he wants and means to have it.

With the officials ruled out of party management and the business men unwilling to act, there will be a fine chance for Paddy Ryan's Minute Men to get in and show what they can do.

LOWER TOURIST FARES.

The question of low fares is the key to the tourist situation and it ought not to be dropped until every recourse has been tried. The Pacific Mail and the Canadian lines decline to do anything and the All Red line, which has conceded a hundred dollar round trip rate, connects with the Canadian Mainland far north of the tourist centers, and gives an infrequent service. To meet the needs of Hawaii better rates must be had from California.

Why should not the business men try for low rates with the American-Hawaiian line, which is about to begin a once-in-three-weeks service between Honolulu, San Francisco and Seattle, making the run across in less than seven days? Just now the A.-H. line is troubled for down freights. Could not an arrangement be made by the merchants to guarantee enough island-bound freight to these steamers to make the trip pay, the A.-H. Company agreeing in return to put in passenger facilities and make a \$50 passenger rate one way and a \$90 round trip?

The merchants do not need to discuss public subsidies if they have the matter in their own hands, at least if freight rates are not to be brought down in proportion as the subsidy is built up. As a rule subsidies are not in the public interest, providing there is any other way out; and here is a way, perhaps, for the merchants to get all they are after by merely giving their business to any line which will meet their views on the passenger rate question. The only line which has not refused is the American-Hawaiian. Why not negotiate with it?

THE WAR AND TEACHERS.

The Hawaii Shinto takes exception to the statement of Inspector Halsey that the war has deprived Japan of male schoolteachers and turned over primary instruction to women, saying that women have long taught in Japan and that their relation to the schools has not been changed by the hostilities now in progress.

The statement in the Halsey interview which seemed to this paper the most remarkable was that the force of male schoolteachers had been depleted. So far the war cannot have drawn heavily upon even the surplus population of the empire. Of adults capable of bearing arms Japan may count one in five of the population of, say, 45,000,000. This leaves 9,000,000 fighting men of whom some 300,000 are now in the field and some ten or twelve thousand in the navy. The annual growth in population of Japan—which is the greatest baby nursery on earth—must be far greater than the number of troops in service. As to the schoolteachers a few of them may have been called out with the reserves, just as a few lawyers, doctors, traders, and mechanics have been, but we don't doubt that there were plenty of men on the waiting list to take their places if men were wanted.

The Christmas number of the Paradise of the Pacific is certainly a beautiful production, clear and bright in pictures and typography and touched here and there with tasteful color. There are 82 pages in all, filled with articles about Hawaii, mostly in prose, some in verse. For sending away, either as a gift to a friend or as an advertisement of Hawaii, nothing could be more appropriate than this charming island magazine. Its good writing, its fine illustrations, its variety of contents and its editorial self-respect combine to put the Paradise in the front rank, not only of Hawaiian prints, but of insular periodicals generally.

The sugar story reprinted elsewhere from the San Francisco Evening Post is an interesting tale, part fiction and part fact. The Hawaiian planters as a class are not fighting the sugar trust, having just signed a new three years' contract with it on more favorable terms. The refinery or bleachery on the Honolulu plantation—a sugar estate largely owned by San Francisco parties—is doing all the fighting there is, which isn't much.

Billy Judge, who used to be law clerk for W. N. Armstrong, became one of the high priests of theosophy. Though long since dead, a monograph of his, claiming for man an antiquity of 18,000,000 years, has lately been republished. It is one of Billy's most impressive freaks, but as the author knew no more about the antiquity of man than the next fellow who had read from the geologists, science has not concerned itself much with his judicial findings.

As Hawaii stands in need of suitable representation at Washington it is to be hoped that the Secretary of the Territory will stay there as long as his services are in demand by the House and Senate committees, which are dealing with island affairs.

If Russia can hire American shipbuilders to come over and make a new navy for it, why shouldn't Japan do the same?

Mrs. Rhodes Gets Half.

The Supreme Court, in an opinion by Justice Hatch, has decided the appeal of the defendant in the suit of Mrs. Mary A. Rhodes vs. Honolulu Rapid Transit and Land Company, cutting the amount of the damages awarded to plaintiff by the jury from \$500 to \$250. If the plaintiff file a remittitur for one-half of the damages named in the verdict within ten days, the defendant's exceptions will be overruled. Otherwise a new trial will be ordered.

SPRAINED ANKLE, STIFF NECK, LAME SHOULDER.

These are three common ailments for which Chamberlain's Pain Balm is especially valuable. If promptly applied it will save you time, money and suffering when troubled with any one of these ailments. For sale by all Dealers and Druggists. Benson Smith & Co., Ltd., Agents for Hawaii.

LOCAL BREVITIES.

Several recommendations of pardons for Christmas day have been made to the Governor by the Prison Commissioners.

George A. Henshall of the Star editorial staff leaves in the Alameda tomorrow for a vacation of two months on the mainland.

Mrs. A. K. Weir of the Kaulaui school has tendered her resignation as teacher and accepted a position in the public schools in Oakland, California. Mrs. Weir will leave on or about the 15th of January.

Chin Hoon was placed under arrest last night for a small offense. Mr. Chinaman made the mistake of offering the officer a dollar to let him go. Result, Chin Hoon in jail and the dollar is the evidence that he attempted bribery.

Christmas and New Year's week the steamers Kinau, Claudine and Likelike will sail from Honolulu one day late at the usual hour, the Kinau and Claudine returning on schedule time and the Likelike returning one day late on both trips.

A number of business men in town have clubbed together and raised a sum sufficient to keep Secretary Atkinson in Washington for a month at least in the interest of legislation for Hawaii, particularly harbor appropriation. Secretary Atkinson was to have been notified last night that this action had been taken and some word is expected from him today relative to this matter and also to the final signature to the agreement for the sale of the Territorial bonds.

No drawing of grand and trial jurors for the Hilo term in January took place yesterday, as District Attorney Breckons informed Judge Dole that in cases arising on the island of Hawaii all of the defendants resided on the island of Oahu. If meantime any cases arise where residents of Hawaii are implicated jury panels can be drawn there for later. It was stated that in four terms held by the late Judge Estee in Hilo a Grand Jury was summoned on but one occasion.

PORTUGUESE MAY BE HAD

Reliable labor for the sugar plantations may again come from St. Michaels and Madeira, whence came originally nearly all the Portuguese residents of the Territory.

Some time ago letters were forwarded to St. Michaels, in the Azores, inquiring whether any Portuguese families were willing to come to Hawaii. A reply to one such inquiry was received a few days ago from the agent of the White Star Steamship Company saying that there was a continual emigration of the residents of both groups of islands, mainly to Massachusetts and California, and he thought that if many were told of the opportunities awaiting them here, they would willingly have their destination changed to Hawaii.

The agent writes that there are possibly five hundred families willing to take passage for the Hawaiian Islands. It is said also that about the same number could be obtained from Madeira.

The effort to obtain Portuguese for work on the plantations first originated during the reign of Kalakaua, when under the auspices of Minister of the Interior John E. Bush, the first emigrants were brought here and scattered among the plantations. They were among the best workers ever brought here. When their contracts were finished they generally took up small homesteads on the various islands and with a thrifty purpose set about to build up modest fortunes. Their frugal, hard-working capacity showed in many ways and many of the original immigrants and their descendants now own their homes. One thing is in their favor. They generally spend the means for their livelihood in the islands. The Japanese and Chinese send the most of their earnings back to Japan and China.

LAW OF LANDLORD AND TENANT GIVEN

A unanimous decision of the Supreme Court, written by Justice Hartwell, overrules defendant's exceptions to verdict for plaintiff for \$4467.20, the amount claimed, in the suit of M. V. Silveira vs. L. Ahlo, Robertson & Wilder for plaintiff; Castle & Withington for defendant. The syllabus of decision is as follows:

"A lessor by declining rent for two months after the burning off of the buildings on the leased premises, there being about five years unexpired on the term of the lease, and by telling the tenant that he would give him a new lease for a longer term, but without mentioning the rental or the length of the term, is not estopped from claiming the rental on the existing leases after offering a new lease to the tenant which the tenant declined; nor is the lessor thereby estopped from denying that the leases had been surrendered."

"The lessor, by granting a lease for fifty years to a third person subject to the existing leases, does not thereby grant to such third person the right to the rental for the residue of the terms of the prior leases."

"The defendant having shown a lease of the premises demise to him made by the plaintiff to a third person for a term of fifty years, the plaintiff may place in evidence an unrecorded certificate by the new lessee that he took his lease subject to the former leases."

"The destruction of the buildings on the leased premises ordered by the Board of Health does not operate as a surrender of the lease, the lessee not having taken steps to surrender it."

LOCAL BREVITIES.

(From Saturday's Advertiser)

Honokaa reports its subjugation of the leaf-hopper and a fine growing crop of cane.

Otto Ludloff was adjudged a bankrupt on his own petition by Judge Dole yesterday.

Agent W. F. Hall of the mosquito campaign says the battle goes on bravely.

The Territorial Messenger Service, Main 361, will have a force of boys, also two delivery wagons to handle the Christmas trade.

The Elks are arranging for a minstrel show to be given late in January or early in February. A meeting was held last evening at which the affair was projected. One of the features of the show will be a burlesque on the "House that Jack Built."

The latter part of the last week in December there will be a joint banquet of the Hawaiian, Le Progress and Pacific lodges of the Masonic order. Each will hold installation ceremonies before the end of the year and instead of their having a banquet after each installation all three lodges will participate in one big love feast.

(From Sunday's Advertiser)

Senator Isenberg, not forswearing horses, has yet become an automobilist. Members of the commercial bodies are awaiting the appearance of the County Bill draft before taking it up for judgment.

Allan Herbert, while on the mainland with Mrs. Herbert recently, ordered a new fifteen horse power motor car of the 1905 model.

C. R. Buckland is not and will not be a candidate for the Hilo postoffice. Mr. Buckland himself is the authority for this statement.

R. A. Duncan, Food Commissioner, is examining fish of species found in the market, with a view to ascertaining if any are poisonous.

Trustees of the Bishop Estate yesterday filed a new bond in \$100,000 on account of E. Faxon Bishop's succession to Col. W. F. Allen on the board.

The Union League Club gave a dinner in New York lately to Pastor Chas. Wagner, author of "The Simple Life" at which W. N. Armstrong and James B. Castle were guests.

Col. C. P. Iauken has arrived at Doubting Castle in his intended trip to Washington to contest Delegate Kuhl's election. In other words he may conclude to stay at home.

Dr. Moore is in hopes that the visitation of trachoma will have been got rid of by the end of the Christmas holidays. Cases have been steadily diminishing at the free dispensary for some weeks.

No conclusion has yet been reached by the government officials relative to the Insane Asylum contract. It is understood that efforts are still being made to have the matter submitted to arbitration.

The natal day of the late Princess Bernice Pauahi Bishop will be appropriately celebrated tomorrow by pupils of Kamehameha schools. Their benefactor's tomb in the Mausoleum will be decorated at 9 in the morning.

The officers and soldiers of the Honolulu Corps of the Salvation Army are planning for a Christmas tree for the newboys for Monday, December 26, at their hall, corner Nuuanu and King streets. The Corps calls upon the good people of Honolulu for donations such as money, toys, candies and fruits. If any one desires to send checks, they can be made payable to Ensign Haynes, P. O. box 518, or sent to No. 1309, Punchbowl street, or officers will call for same upon request. The army hopes that people will be liberal and make it a happy Christmas for the newbies.

(From Monday's Advertiser)

Robert Anderson, an expert in rubber cultivation, is investigating the suitability of lands on Maui for the industry.

Wm. Williamson of the Von Hamm Young Company arrived on the Hall yesterday morning. He has been making a short business trip to the Garden Island.

The Christmas tree celebration of the Palama chapel will take place on Wednesday evening at 7:30 at the chapel, King and Liliha streets.

A farewell concert to the steamer Gaelic on the occasion of her last visit to this port before withdrawal from the Oriental route will be given by the band tomorrow.

Complaint is made by Harry Roberts and some other residents in Houghtaling road that the man who is doing the blasting for the approaches to a new bridge in Kalihi is so careless with his work that large stones fall in showers in dangerous proximity to houses in the neighborhood.

Rear Admiral S. W. Terry, formerly in command of the Washington navy yard and more recently in command of the naval station at Honolulu, Hawaii, will retire for age December 23 next, and the vacancy thus created will be filled by the promotion of Captain Joseph E. Craig, captain of the navy yard, Norfolk, Va., to the grade of rear admiral. Captain Craig is now in this city undergoing examination.—Washington Star.

The Grand Jury met yesterday, but adjourned without doing any business.

Mrs. Frank Thompson is expected home from California on the steamship Siberia.

The educational classes at the Y. M. C. A. are taking a two weeks' holiday vacation.

A scheme to stock Kaukonahua stream, a feeder of Wahiawa ditch, with mountain trout is mooted.

Great flashes of sheet lightning in the southern and western skies last evening portended a Kona storm.

George Galbraith's will is held up from probate for ninety days to give relatives in Ireland a chance to be heard.

Distress After Eating

Nausea between meals, belching, vomiting, flatulence, fits of nervous headache, pain in the stomach, are all symptoms of dyspepsia, and the longer it is neglected the harder it is to cure it.

Hood's Sarsaparilla and Pills

Radically and permanently cure it—strengthen and tone the stomach and other digestive organs for the natural performance of their functions.

Accept no substitute for Hood's. "I had dyspepsia twenty-five years and took different medicines but got no help until I began taking Hood's Sarsaparilla. Have taken four bottles of this medicine and can now eat almost anything, sleep well, have no cramps in my stomach, no burning and no distress." Mrs. WILLIAM G. BARNETT, 14 Olney St., Providence, R. I. Hood's Sarsaparilla promises to cure and keeps the promise.

BUSINESS CARDS.

H. HACKFELD & CO., LTD.—General Commission Agents, Queen St., Honolulu, H. I.

F. A. SCHAEFER & CO.—Importers and Commission Merchants, Honolulu, Hawaiian Islands.

LEWERS & COOKE—(Robert Lewers, T. J. Lowrey, C. M. Cooke)—Importers and dealers in lumber and building materials. Office, 414 Fort St.

HONOLULU IRON WORKS CO.—Manufacturers of every description made to order.

HONOLULU STOCK EXCHANGE.

Honolulu, Dec. 19, 1934.

NAME OF STOCK	Capital	Vol.	Bid.	Ask.
MERCANTILE.				
C. Brewer & Co.	\$1,000,000	100	320	40
SUGAR.				
Ewa	5,000,000	20	27 1/2	27 1/2
Haw. Agricultural	1,000,000	100		
Haw. Com. & Sugar Co.	2,312,750	100	73 1/2	75
Hawaiian Sugar Co.	2,000,000	100		
Honolulu	750,000	100	110	112
Honokaa	2,000,000	100	18 1/2	20
Haiku	500,000	100	185	
Kahuku	500,000	20	24 1/2	25 1/2
Kihikihi Plant. Co., Ltd.	2,500,000	50	43 1/2	45
Kipahulu	100,000	100		
Kohala	500,000	100		
McBryde Sug. Co., Ltd.	8,500,000	30	7 1/2	7 3/4
Oahu	5,000,000	100	100	
Olokele	1,000,000	20		
Ookala	500,000	20	6 1/2	7 1/4
Olokele Sugar Co., Ltd.	5,000,000	100	11 1/2	12
Olokele	150,000	100		
Pauahi Sug. Plant. Co.	5,000,000	50		
Pala	500,000	100		
Pala	750,000	100	135	200
Peepee	750,000	100	115	
Pioneer	2,750,000	100	120 1/2	
Waialua Agr. Co.	4,500,000	100	45	47 1/2
Waialua	700,000	100		
Waialeale	350,000	100		
STEAMSHIP COS.				
Wilder & S. Co.	500,000	100		
Inter-Island S. S. Co.	800,000	100	115	
MISCELLANEOUS.				
Haw. Electric Co.	500,000	100		
H. R. T. & L. Co., Ltd.	1,000,000	100	17 1/2	18
Honolulu Tel. Co., Ltd.	1,000,000	100		
Mutual Tel. Co.	150,000	60		
O. R. & L. Co.	4,000,000	100		
Hilo R. R. Co.	1,000,000	100		
BONDS.				
Haw. Ter. 4 p. c. (Fire Claims)				
Haw. Terr. 4 1/2 p. c.				
Haw. Govt. 5 p. c.			110	
Haw. Com. & Sugar Co.				
Ewa Plant. 6 p. c.				
Haiku 6 p. c.			100	
Hawaiian Sugar 6 p. c.				
Hilo R. R. Co. 6 p. c.				
Hon. R. T. & L. Co. 6 p. c.			115	
Kahuku 6 p. c.				
O. R. & L. Co. 6 p. c.				
Oahu Sugar Co. 6 p. c.				
Olokele 6 p. c.				
Olokele Sugar Co. 6 p. c.			97 1/2	
Pala 6 p. c.				
Pioneer Mill Co. 6 p. c.			100	
Waialua Agr. Co. 6 p. c.			99	100

ONE DAY IN THE COURTS

Many Cases Heard at the Judiciary House.

Accounts of the trustees of the estate of Bernice Pauahi Bishop were approved by Judge Robinson on the report of W. R. Sims, master. Receipts amounted to \$210,459.41 and payments to \$205,536.55, leaving cash on hand \$4,922.86. The estate has in operation 533 leases and 35 tenancies at will.

Of expenditures the three largest items are \$102,540.97 for Kamehameha schools, \$22,059.42 for taxes and \$40,000 for repayment of a loan from the Bank of California. Putting the Bishop street lot in presentable appearance cost the estate \$2200. Among the remarks in the report of the trustees the following appears:

"Forest reservation comprises 39,200 acres, which the trustees consider increasing without detriment to the revenue producing areas, to the material advantage of the estate and the public welfare."

"Gratification is expressed at the improved condition of Kamehameha schools, with their enlarged scope of industrial education."

AN ORAL DECISION.

Judge De Bolt, in the case appealed from Honolulu District Court of W. Wolters vs. Moana Hotel Co., Ltd., gave an oral decision awarding judgment to plaintiff in the sum of \$300, attorney's fee and costs, thus affirming judgment of the court below. Thayer & Hemenway for plaintiff, Ashford for defendant.

JUDGMENT BY DEFAULT.

Judge Robinson has given judgment that the bill for foreclosure of mortgage brought by L. F. Alvarez against Mary and Frank C. Bertelmann, James E. Fullerton and Samuel Salvage, trustee, be taken as confessed on account of default of defendants to answer. The property involved is the same as that for which Fullerton's ejectment of Mrs. Bertelmann led to his indictment by the Grand Jury for malicious injury, the matter ending in a nolle prosequi asked by the Territory, when the defendant insisted on immediate trial.

RAILROAD PLANT SUIT.

Judge De Bolt sustained the demurrer to complaint of William W. Bierce, Ltd., vs. C. J. Hutchins, trustee, et al., allowing plaintiff five days to amend complaint and defendants ten days thereafter to answer. This is the suit for recovery of value of a railroad plant sold to the Kona Sugar Co.

TRIAL DEFERRED.

Judge Robinson denied the motion of plaintiff to set for hearing the ejectment case of Joseph O. Carter vs. Koolau Kalkinahaole, Kinney, McClanahan & Cooper for plaintiff, Ashford, Highton and Dunne for defendants. The court did not consider it expedient to call a special jury for trying a single case.

SUITS ENDED.

W. O. Smith et al., trustees of Gear, Lansing & Co., by their attorneys, Thayer & Hemenway, have filed a discontinuance of their assumpsit suit against Emmett May for the sums of \$500, \$450, \$300 and \$120, with interest, costs, etc.

Bancroft-Whitney Co. vs. Emmett May has been discontinued by withdrawal of the plaintiff's appeal and a satisfaction of the judgment of Honolulu District Court against plaintiff for costs. The suit was for \$181.39.

THE GAY MORNINGS.

W. O. Smith, guardian of the minor children of the late James Gay, has filed his annual reports with the following statements: Helen Gay—Receipts \$2342.98, payments \$2343.76, due guardian 78c. Frida Gay—Receipts \$861.45, payments \$1271.53, due guardian \$409.88. Arthur Gay—Receipts \$4043.15, payments \$4397.22, due ward \$345.93. Eric Gay—Receipts \$2111.14, payments \$1919.86, due ward \$191.28.

COURT NOTES.

Orders extending time for filing bills of exceptions were made by Judge De Bolt in the cases, respectively, of Bank of Hawaii vs. Kapiolani Estate and Oriental Life Insurance Co. vs. C. Winam.

W. C. J. for defendant filed a motion for a new trial of Maleka Halele's trover suit for the value of two cattle against Frank Pahl, in which Judge Robinson awarded plaintiff \$100 damages.

Judge De Bolt appointed P. E. R. Strauch as administrator of the estate of James S. Hilton under bond of \$100, on petition of Jennie Hilton. L. A. Dickey for petitioner.

James Love, spendthrift, by his attorney, Henry E. Highton, has sued out a citation to his guardian, Henry Waterhouse Trust Co., to appear and show cause why it should not pay him \$400 of his estate's income. He alleges he is humiliated by debts and wants the money to pay them.

Judgment has been entered by Judge Robinson in the suit of James E. Fullerton vs. Kohala & Hilo Railroad Co. against the defendant for \$2454 debt and costs of \$91.25.

A bill to reform mortgage and foreclosure has been brought by H. Hackfeld & Co., Ltd., vs. Loo Chit Sam and Loo Wong See. The mortgage is for \$300 on two pieces of land at Waiakaeiki, Waikiki, of 3.40 acres and 15 square chains respectively, and 19 paid-up shares of Honolulu Investment Co.

Yan Wo Tong's damage suit for damages against Hoffschlaeger Co., Ltd., and A. M. Brown, High Sheriff, for seizure and detention of goods is discontinued.

INSANE ASYLUM

(Continued from page 1.)

been prepared were withheld. There was, in fact, no other bidder but the Concrete Construction Company. When the bids were opened and the low bid of the American-Hawaiian Company was read, a contractor present was heard to remark:

"The suckers bit, didn't they?" This remark gave no indication of the plot concealed at that time against the contracting company, and the bid was signed.

Later, when Amweg has examined the specifications more closely, he found evidences of the alleged fraud, and it was at this time that Beardslee is charged to have made his damaging admission. The representative of the contractors says that he tried, at that time, to get Beardslee to go to Mr. Holloway and admit to him as much as it is claimed he admitted to the contractors, but this the architect refused to do. The admission of Beardslee, or what is claimed to be his admission, the representatives of the contractors say they are willing to make oath to.

It is said that Beardslee admitted that the asylum job was manipulated so that the contract would go to the Concrete Construction Company, and it would have gone to that company if Amweg had not butted in with his cheap bid.

"I had great difficulty," Beardslee is reported to have said in the documents in the Governor's hands, "in getting Mr. Holloway to get the department to specify the work as I did. Mr. Holloway could not see why a building constructed by methods in use in the United States was not good enough for the Territory of Hawaii. So I had to run a bluff by telling them that it was very necessary, in a building of this character, to have the blocks dense, so as to keep out moisture."

Mr. Beardslee denies all this, but that comes later along in the story. The contractors, discovering that there was no machine made that would press and tamp a concrete block at the same time, appealed to Superintendent Holloway to tell them what they should do in the matter. He, it is said, gave them the names of four companies who were making machines to do this kind of work, and the contracting company at once proceeded to look up the machines. It was discovered that no one of the companies was making a machine that would tamp and press a brick at the same time.

But before the case for the contractors is closed, it should be noted that the claim is advanced that, in calling for plans for the building, Superintendent Holloway asked for plans and specifications for a brick building, likewise, in the event that it was found that a concrete building was not practicable, and the claim is made that Architect Beardslee so drew up the specifications for the brick building as to make it incumbent upon the Superintendent of Public Works to call for the bids in the way that he did and for a building such as the Concrete Construction Company could build.

Here, with the allegation of fraud, and the further allegation that the specifications were not drawn so that they would be clear, thereby trapping the contracting company into a contract that was impossible of fulfillment, the case as it was laid before the Governor virtually closed.

HOLLOWAY'S OFFER.

Pursuing his investigations, the allegation of fraud having been specifically laid aside, according to the understanding of the Governor, Mr. Carter called upon Superintendent Holloway for a statement of his side of the case. Mr. Holloway, as has already been noted, offered to submit to two arbitrators to be chosen by the contractors the only question that he understood was at issue, namely, the ambiguity of the specification relative to the manner of concrete block to be used in the construction of the building. Incidentally, Mr. Holloway says in his statement to Governor Carter that it is nowhere, so far as he can see, specified that the concrete blocks to be used in the construction of the asylum building shall be tamped and pressed at the same time. The specifications call for a tamped and pressed block—but do not say that the block shall be tamped and pressed at the same operation. The blocks to be used must be dense enough to shut out water, or they will be useless. In fact, it would be better to have a brick building. And he said that it was not up to him to tell the contractors what to do. They had presumably read the specifications. It was their business to go ahead and build the structure. He was willing to leave the matter of the clearness of the specifications to any expert. Besides, he had seen the kind of blocks he wanted, and the contractors had seen them. His sole aim in the matter was to get the building started.

BEARDSLEE DENIES.

Architect Beardslee, called before the Governor, said that he had told the contractors nothing of the kind attributed to him.

"I would have been either a fool, or crazy, to have said that," Mr. Beardslee remarked, "and I am not ready to go to the insane asylum yet. What I did do was to offer the American-Hawaiian people all the information in my possession relative to the Pinkham block, and I drew up a contract myself, holding it in my possession, that would give them the same rights in the proposed Pinkham machine as the Concrete Construction Company had. This was to put them in all respects, with reference to this work, upon the same basis as the other contractor. I did draw up the specifications for a

(Continued on page 8.)

GOVERNMENT REVENUES FROM THIS TERRITORY

(Mail Special to the Advertiser.)

WASHINGTON, D. C., Nov. 28.—The annual report of the Internal Revenue Commissioner was given out this afternoon. It shows the internal revenue collections in Hawaii, as well as in other collection districts of the country.

The figures on distilled spirits show that 15,639.4 gallons of spirits were dumped for rectification in Hawaii during the fiscal year that ended June 30 last. During the same period 18,436.8 gallons of spirits were rectified, and 4,702 gallons were withdrawn from warehouse on payment of the tax. For the previous fiscal year, ending June 30, 1903, 13,725.4 gallons of spirits were dumped for rectification in the Territory of Hawaii, and 16,034.5 gallons were rectified, while 1,364.1 gallons were withdrawn from the warehouse on the payment of the tax.

The record for the manufacture of cigars is by the calendar year instead of by the fiscal year as in the case of spirits. For the calendar year that ended December 31 last, there was only one factory making cigars in the Territory. This factory used 5,754 pounds of tobacco in making 288,100 cigars. These cigars were all of the larger size, weighing more than 3 pounds per 1000. For the calendar year prior to that the one cigar factory in Hawaii used only 2,233 pounds of tobacco, which were manufactured into 102,250 cigars.

The total collections of internal revenue in the Territory of Hawaii for the fiscal year that ended June 30 last were \$44,632.82, which under the graded plan of salaries in force under the present statute, entitled him to a salary of \$2,250. The Hawaiian internal revenue collections for the previous fiscal year of 1903 were \$40,090.52, so that during the past fiscal year under Mr. Chamberlain's regime there has been a slight increase.

The special tax payers in the islands during the last fiscal year numbered 585. These were as follows: rectifiers, three; retail liquor dealers, 452; wholesale liquor dealers, forty-seven; no manufacturers of stills; brewers, one; retail dealers in malt liquors, sixty-one; wholesale dealers in malt liquors, nineteen; no manufacturers, wholesalers or retailers in oleomargarine free from artificial coloring, but two wholesale dealers in oleomargarine artificially colored.

It will be seen from the above figures that the special tax payers of Hawaii are almost entirely wholesale and retail dealers in spirituous and malt liquors. The number was not materially changed from the previous fiscal year, when the total number of special tax payers under internal revenue laws was 589, of whom 456 were retail liquor dealers and forty-five wholesale liquor dealers and of whom sixty were retail dealers in malt liquors and twenty-one were wholesale dealers in malt liquors.

Hawaii for the last fiscal year had a record of twenty-seven seizures of distilled spirits under internal revenue laws, those seizures being valued at the small sum of \$10. There were also seized 300 pounds of tobacco, valued at \$93, while \$166 worth of miscellaneous property was confiscated. The total amounts paid to the collector for fines in Hawaii aggregated \$1,692.35 and \$602.89 for costs. Cases that were compromised brought into Collector Chamberlain's official coffers \$2,200.03. He thus realized from all sources, caused by the infraction of internal revenue laws, \$4,495.27.

PERSONAL.

It is stated that Ex-Queen Liliuokalani, who for several days has been en route from San Francisco to this city, arrived here this afternoon. On account of the lateness of the hour and uncertainty as to where she might stop, this could not be verified. She did not go to the Ebbitt House, where she has lived a part of the time in recent winters, but may have gone to the residence of Delegate Kalaniana'ole, who is reported to have been travelling across the continent with her, or to 1729 Twenty-first street, N. W., where she resided last winter.

Chairman Burton of the River and Harbor Committee arrived here yesterday, but he intends to take his committee south to Wilmington, N. C., for the most of this week. He stated that he is well disposed toward an appropriation for Honolulu harbor. Mr. Burton thinks that the bill he intends to introduce next week will carry a total of over \$20,000,000.

Senators and members of Congress are arriving very slowly this year. They will not be here in force till next Saturday. The tardiness in their coming is due largely to the lack of interest in this winter's legislation, much of which will be of a cut and dried character.

ERNEST G. WALKER.

GOVERNOR RETURNS THANKS TO SECRETARY OF TREASURY

Yesterday Governor Carter wrote and mailed the following letter, which will be carried to the mainland on the Alameda tomorrow:

To Hon. S. L. Shaw, Secretary of the Treasury:

Dear Sir:—On behalf of the Territory of Hawaii, I desire to express its appreciation of your assistance in accepting the proposed issue of bonds as security, under certain conditions, for National deposits.

Your first act of this kind was at a time when the financial situation, perhaps, made it of general benefit. But your action on this occasion, in the face of a deficit, and the withdrawal of a similar privilege from some \$20,000,000 of other securities, makes the favor to our small Territory out here in the Pacific all the more marked and important to us.

Assuring you of our deep appreciation, I am

Very Sincerely Yours,

GEORGE R. CARTER,

Governor of Hawaii.

UNCLE SAM WILL PAY \$70,000 FOR DOWSETT LANDS

An agreement has been reached between Lieut. Slattery, Engineer Corps, U. S. A., representing the War Department, and the Dowsett Estate, Limited, whereby the latter corporation will accept \$70,000 for their lands at Puuloa, Pearl Harbor. The transfer will probably be made the latter part of this week. The Dowsett holdings will be incorporated in the fortification area which will guard the entrance to Pearl Harbor.

HAGEY SUIT DETERMINED

After several years of strenuous litigation the Hagey cure case seems to be finally decided at last by a unanimous opinion of the Supreme Court. Thomas Milner Harrison, plaintiff, is the loser after coming here from a foreign country and waiting all these years for what he claimed to be justice. The author of the opinion is Justice Hartwell, and its effect is to overrule the exceptions of the plaintiff from the judgment of Judge Robinson in granting a nonsuit and denying a motion for a new trial. Robertson & Wilder were attorneys for plaintiff, J. A. Magoon and J. Lightfoot, Kinney, McClanahan & Cooper and S. H. Derby for defendants.

J. A. Magoon, F. B. McStocker, L. C. Ables, Dorothea Emerson (nee Lamb), T. E. Cowart, J. H. Kirkpatrick, A. E. Fowler, J. Wolfenden and George D. Moore were the defendants in the case now decided. In a former action brought by Harrison against Magoon, McStocker, Ables and Emerson the Supreme Court held the declaration bad for non-joinder of the other parties to the agreement upon the alleged breach of which the cause was based. The plaintiff then joined the other parties and obtained a verdict which was set aside by the Supreme Court on exceptions on the ground that the court below erroneously instructed the jury that the agreement was within the scope of the business of the articles of association of The African Pacific and Indian Hagey Company, an association of partnership formed in Honolulu, Republic of Hawaii, April 10, 1897. At the third and last trial in the Circuit Court a nonsuit was ordered on November 9, 1903, and judgment entered thereon on November 12. A motion for a new trial was made two days later "for errors at the trial as well as in granting the nonsuit," and on January 15, 1904, this motion was dismissed and time for filing a bill of exceptions extended. On this the Supreme Court gave its third decision in the case, denying a motion of the defendants "to dismiss the bill on the ground that the exceptions taken at the trial were improperly incorporated in the bill." That decision was on the ground "that the exception to the nonsuit required consideration," and now in its fourth decision the court is of the opinion "that the only exception in the bill which was presented within the time required by law is that which was taken to the dismissal of the motion for a new trial."

From the conclusion just stated the court goes on to decide, as stated in the syllabus, thus:

"A nonsuit is properly ordered upon failure of the plaintiff in an action against joint contractors to prove that any of the defendants executed or ratified the agreement declared on."

As registered in Honolulu the Hagey Cure Co. consisted of T. E. Cowart, J. H. Kirkpatrick and Geo. D. Moore of the State of Texas, A. E. Fowler of Montreal, Canada, and J. A. Magoon, F. B. McStocker, L. C. Ables and Dorothea Lamb of Honolulu. Four of these partners signed an agreement in New Zealand whereby the company took in as new partners Alfred Edward Gilmore and Thomas Milner Harrison, agreeing to give them \$2250 (\$11,250) if, after a certain trial, they were not satisfied with the conditions of the business. The three partners in Honolulu did not sign or authorize the signing of the agreement. Letters were received in Honolulu from one of the partners in New Zealand mentioning that they had sold one-half interest in Tasmania for \$8000 sheep and £500 (\$2500), that the sale of Tasmania was for nine-twentieths of the territory and that one of the partners (not having signed the agreement) was coming to Honolulu and would "put things to you as they are." About the same time the partners here received an 18 per cent dividend on their stock, a small portion of which appeared to have been derived from the Tasmania sale, as shown by the trial balance received at the same time.

On these statements of fact the court holds: "That this was not evidence on which the partners in Honolulu could be held to have ratified the agreement."

Finally the court holds that the agreement purporting to be made between the Hagey Cure Co. and Gilmore and Harrison, accepting the latter two as partners in the company, "is an incomplete agreement for the purpose of forming the proposed partnership unless all the parties sign, there being an implied term in the agreement that all should sign in order that the signers incur several liability. There being no partnership formed in this case in consequence of the failure of four of the parties to sign the agreement, no partnership rights or duties were created by the complete agreement."

PARTNERSHIP DEFINED.

Judge De Bolt is sustained by a unanimous decision of the Supreme Court in finding that a partnership existed between plaintiff and defendant in the suit of Albert Barnes against Charles R. Collins for accounting, etc. Chief Justice Frear is author of the opinion. W. A. Whiting and C. F. Clemons for plaintiff; J. J. Dunne and W. T. Rawlins for defendant.

"A partnership exists," the syllabus shows, "when two or more persons agree to share, as co-owners or principals, the profits of a business." For the rest the court rules on the evidence that the conditions of this case made the principle just stated apply. The partnership in question was formed for the handling of two leases—one on Liliha street purchased by Collins from Frank Northrup and the other at Waikiki purchased by Barnes from E. B. Thomas.

TO INVITE THE PUBLIC

Admiral Beckley Wants All to Enjoy His Park Dedication.

HILO, Dec. 13.—The Hilo Park Commission, consisting of Chairman E. E. Richards, L. Turner, Dr. J. Holland and Admiral Beckley, met Thursday evening and have outlined a program for the dedicatory exercises of Moebeau Pavilion on Monday, January 2d. Admiral Beckley will be the principal speaker of the day and Miss Juanita Beckley will christen the edifice with a bottle of champagne. Two mammoth flags will be raised while the band plays "Hail to the Chief." "Moebeau" Beckley will take an important part in the ceremony of flag-raising. No one will be permitted to enter the structure until after the breaking of the bottle, when the Admiral and party ascend the stairs, and Rev. S. L. Desha will deliver a prayer. Rev. C. morning exercises will begin at 10 o'clock, and as the races are scheduled E. Shields will probably respond to the Admiral's dedicatory speech. The Hilo band will render several selections, one of which will be "Moebeau March" composed by Professor Carvalho especially for the occasion. The and committee on arrangements will at Moebeau Park for the afternoon, the final celebration will be in the form of a grand ball within the pavilion, beginning at 7:30 o'clock in the evening. The Admiral has decided that it shall not be a card affair, but a ball to which the public are invited. During the day, at an hour not yet set, there will be an auto parade under the supervision of Admiral Beckley, and prizes will be given to the best decorated vehicle. In the cavalcade will be pa-u ladies, riding astride and in the flowing garb of former Hawaiian days. No expense will be spared to make the day an occasion to be remembered.

BANANA BRANDY.

Dr. N. Russel writes to the Tribune concerning the utilization of bananas unfit for shipment and sale:

One of the best ways to utilize bananas is to distill them into banana brandy. The product of banana distillation gives very pure brandy, remarkably free from fusel oil and other undesirable and hurtful ingredients.

It possesses a peculiar, agreeable banana flavor and ought to be very acceptable on the liquor market, not less than dry grape brandy or ordinary cognac.

Not long ago, as published in the "Tropenpflanzer," the German magazine of tropical agriculture, experiments in fruit distillation have been made with the assistance of the government in Victoria, Cameroon, German West African possessions. The results of these experiments are as follows: One hundred quarts of ripe banana mush produces 12 quarts of pure, absolute (100 degrees) alcohol, or 24 quarts of 50 degrees strong brandy, viz, about 24 per cent of the volume of peeled and pounded bananas.

Pineapples give 12 per cent of pineapple brandy of 50 degrees strength when treated in the same way. This brandy possesses still higher specific pineapple flavor and also comes out very pure. Papayas distilled without the seed give 5 per cent of pure (100 degrees) alcohol equal to 10 per cent of 50 degrees brandy. The presence of seed gives papaya brandy too splotchy a taste.

Thus an average bunch of 40 pounds weight of bananas ought to produce 10 quarts or 2 1-2 gallons of strong 50 degrees brandy. Allowing the cost of bananas to be one cent a pound, the value of material per gallon of brandy will be only 16 cents or 4 cents per quart of brandy.

NOTES FROM HILO PAPERS.

The four-masted schooner F. M. Slade, of San Francisco, P. Larsen, master, makes her first visit to Hilo, with a cargo of 1160 tons of coal from Newcastle, N. S. W., consigned to the Hilo Railroad. She made the voyage in 67 days, arriving Saturday noon at Hilo.

Mrs. Sam Peck returned to Honolulu last Friday.

J. U. Smith was a returning Kinau passenger from Honolulu.

The Tennis Club will hold a tournament on Monday, January 2nd.

Paul Jarrett was a Hilo visitor last week, returning to Honolulu on Friday.

Mrs. E. J. Weight left Friday to visit friends and relatives in Honolulu and Kauai.

Owing to the transfer of the Misses Hill the Kailiki school is without a school teacher.

The bark St. Katherine, Saunders, master, cleared yesterday with light cargo for San Francisco.

Wm. M. McQuaid and wife, who have been guests of the Maddens at Kukui, went to Honolulu last week.

It is now reported that the extent of the Kahuku ranch deal was the refusal of Colonel Norris to give C. Bolte an option on the property.

YOU TAKE DESPERATE CHANCES WHEN YOU NEGLECT A COLD.

It should be borne in mind that every cold weakens the lungs, lowers the vitality and makes the system less able to withstand each succeeding cold, thereby paving the way for more serious diseases. Can you afford to take such desperate chances when Chamberlain's Cough Remedy, famous for its cures of colds, can be had for a trifle? Sold by All Dealers and Druggists. Benson Smith & Co., Ltd., Agents for Hawaii.

OAHU PRISON MODERNIZED

The New Building Is Now Ready For Use.

At a cost of \$16,865, the contract price for the building alone, the addition to Oahu Prison has been completed. One ward of the jail, in fact, is now occupied by women prisoners, and the balance of the building is ready for occupancy.

"It is a fine building for the purpose," said High Sheriff Henry, going over the place yesterday, "modern and up-to-date in every particular."

And, in fact, it is a fine building for the purpose for which it was designed. There can be not the least question about that. The new building, a three-story structure, stands in a yard by itself on the Ewa side of the main jail building. It is surrounded by a concrete wall, twenty feet in height, built by the labor of prisoners in the jail, and enclosing a tract of perhaps two acres in extent. This new jail yard is reached by a massive gateway leading from the yard of the old jail, and in the middle of the new yard Gertrude Wilder has planted a kamani tree that the new yard may be shaded, in the time to come, as the old yard is now. That tree in the old yard, is perhaps the greatest source of consolation to the prisoners in the jail have. The new tree, it is hoped, will prove as great a blessing to the unfortunate in the future.

Passing out of the old jail yard through the new gate, the new jail building stands up clean and white across the whole length of the enclosure. It is of brick, covered with concrete, and is most massively built. An iron door leads into the lower corridor, and here just opposite the door is a large closet room in which are the electric light switches for the entire building, and various other conveniences for the use of the guards.

Opening right and left from the entry, are two long wards or corridors, each cut off from the entry by a grating door. The corridor or ward on what is known as the mauka side is the smaller of the two, containing ten cells, each seven feet, and each capable of holding two, or at a pinch, three prisoners, with comfort. The cells are fitted with hammocks in lieu of cots, a reform in the interest of health and cleanliness both physical and moral, and the cells are so arranged that from the door of one it is impossible to look into the cell directly across the hall.

At the end of the ward farthest from the main door, and this is true of the all the wards, is a clean, white closet with open plumbing, and a sink equally clean and white for the emptying of slops. These things are arranged with perfect drainage, and according to the best sanitary rules, the apparatus being of the kind in use in the best modern jails.

Opposite the entry, on the makai side of the prison, is a larger ward or corridor, containing twenty-two cells, and in this larger ward the arrangements are in all respects similar to those in the smaller one. From the entry, also, a broad stairway, well-lighted and with broad landings, leads up to the second floor, where the wards and cells are exactly as on the floor below, with the difference that in the space occupied by the entry below there has been placed on this floor a room for guards.

The third floor is arranged precisely as the second with the exception that there are concrete partitions in the hallway so that the two wards are more private than on the floor below. The small ward on the second floor, it should be noted in passing, is the one now in use for women prisoners in the jail. It is the intention, of course, to keep the women apart from the men, letting them out to their bath in the new prison yard after the men have gone to their work on the streets and parks.

The bath, by the way, is one of the best features of the new prison. The bath house is cement floored and with a cement wall rising high enough to hide the body of the bather, at which point lattice work commences. The bath house contains six showers and a number of hydrants. The floor slopes down to a grating in the center which carries off the flow of water, and the drainage scheme here, also, is perfect.

The new prison building contains, all told, ninety six cells and accommodations for twice as many prisoners as that—on, or a pinch, for three times as many. The building is 12x32 feet over all. It stands on the Ewa side of the main prison, as has been said, and is a plain structure but not the less impressive in its effect for that. It is roofed with gravel, with large ventilators on the roof, and is well lighted. There is a window in every cell so that the prisoners are not cut off altogether from the sunlight of out of doors, and the prison is cool in the hottest days.

It should meet the needs of the Territory, in the way of a central prison, for a number of years to come. The old prison has accommodations for 360 prisoners, and with the roomy new building, with its clean and airy cells, there should be no trouble in providing place for all the unfortunates who

may come into collision with the police department through their inability to observe the laws.

High Sheriff Henry is proud of his new prison, and justly. He is even prouder of the cleanliness and order that pervade the whole prison establishment, and also justly. The High Sheriff is himself keeper of Oahu Prison for many years, and knows how a prison should be conducted. In Warden Kamana and Deputy Warden Bourke, moreover, he has two assistants who bring to their work an intelligent understanding of the problem before them, and a keen sense of the responsibility that is upon them to enforce the law—to punish while at the same time inflicting no more hardship than the law prescribes for the men under their charge.

Prisoners get justice in Oahu Prison if they also get what is coming to them. The management, in fact, is perhaps the best that it has ever been in the history of the Territory. High Sheriff Henry, besides his knowledge of what should be done, has the power now to carry out his ideas. And he has assistants who will give him intelligent help.

FORESTRY ON MAUI.

(Continued from page 3.)

general prosperity of the Territory. The statement has recently been made that for every million gallons per day of water developed, one hundred additional acres of cane can be planted. As the government shares in this extension of productivity, both through direct taxation and also indirectly, through the increase of wealth in the Territory, this matter has a bearing which should be considered in the proposed exchange. For if the upper forest increases the amount of water which can be made available for use, and this I believe it does, just so much does it increase the welfare of the Territory.

The importance of protecting the forest on the watershed of the streams throughout the Koolau district is well understood by the Baldwin interests. Plans are now well under way whereby the whole stretch of the Koolau forest may be made a great reserve. To fully accomplish the desired end the lands now under consideration should favor an exchange, provided it is upon reasonable terms. Such I believe to be the case with the one proposed.

From a study of the conditions on the ground, the line along the edge of the forest, proposed by the Ranch Company, most of which is now fenced, seems to me to be as good a boundary for the forest as could be chosen. It includes practically all the forest land and in many places follows good natural boundaries which materially reduces the cost of fencing. The part of Kailuini within the Koolau gap I consider a very desirable addition to the reserve, as it lies at the head of one of the largest and most important valleys on the whole mountain side. Clouds are constantly drifting in and out through the gap and much water must be dropped on this upper land, to appear in the springs and brooks lower down.

For the adequate protection of the highly important watershed of the Koolau district, I believe that the forest lands in question should be set apart, along with the large area for which plans are now being prepared.

I therefore recommend that the board immediately request the Governor to set apart as a forest reserve, after the hearing required by law, the forested portion of the Ahupuaa of Makawao; the boundaries of the same to be as shown on the map submitted by the Haleakala Ranch Company. I further recommend that the two parts of the Ahupuaa of Kailuini, as shown on the Haleakala Ranch Company's map, be also made a part of the forest reserve. And I suggest that the board so recommend to the Commissioner of Public Lands.

In case an exchange is consummated, a fencing clause should be inserted as a part of the contract. The one suggested by the Haleakala Ranch Company in their letter meets with my approval. It reads as follows: "To fence and keep fenced during the term of the charter of the company, all portions of this forest reserve adjoining the Haleakala Ranch lands, wherever fencing is necessary to keep stock out of the forest."

FIGHT AGAINST INSECTS.
Alexander Cray, superintendent of entomology, presented a report of which the following is an abstract:

Since my last report to you dated November 8th, I have to inform you that 18 steamships and sailing vessels arrived in Honolulu from outside the Territory, bringing 9498 packages of fruits and vegetables, and six cases and boxes of trees and plants.

Two cases from Japan contained a variety of insects that we can do without, so destroyed the following: Five double flowering plum trees infested with borers that worked in the stems and camellias infested with aspidiotus duplex. A great variety of trees, including orange, are subject to the attack of this pest.

Another consignment of beneficial insects was received from Messrs. Koebele and Perkins but unfortunately in poor condition. Upon investigating the condition in which they came, I feel satisfied that the temperature was too high causing the insects to remain active and thereby die for want of food, instead of hibernating during the voyage. I called Mr. Giffard's attention to this and he ordered a cabinet sent to Mr. Perkins, suggesting placing them in a cooler chamber. Insects will survive a very low temperature without injury.

Fruit arriving infested with scale has been fumigated with hydrocyanic gas.

On the third instant a package of eight small Ixoras came by mail from Philadelphia, Penn., and found them infested with the long narrow armored scale. After fumigation with hydrocyanic acid gas, the leaves were removed and destroyed. This scale has unfortunately obtained a foothold on this island. It is a palm scale but also attacks "Screw-pines," magnolias and coffee trees.

HOW ATKINSON CONDUCTED THE BOND NEGOTIATIONS

(Continued from Page 2.)

There have already been offers from Chicago, exceeding the par value, for these new bonds. It is not anticipated that there will be any difficulty now in disposing of them at a good figure. Mr. Atkinson intends to return here after spending a few days in New York. During his visit there he expects to conclude arrangements for the sale.

POSTMASTERSHIP AND FEDERAL BUILDING.

He has discussed with President Roosevelt and others the appointment of Mr. J. G. Pratt, of Honolulu, as postmaster there to succeed Mr. Oat. Mr. Pratt has arrived in town and is staying at the Albany. He is accompanied by Mr. Alexander Young, who is a guest at the New Willard. The two are here to ascertain what can be done towards inducing the government to purchase the Alexander Young building for a Federal building. Of Mr. Pratt's appointment as postmaster at Honolulu there seems to be no reasonable doubt at this time. As stated in my previous letter, the President will honor nobody's endorsement for Hawaiian offices, except that of Gov. Carter. He has told several visitors that without any qualifications. At the same time he prefers that harmonious relations be maintained with Delegate Kalaniana'ole, whose endorsement of Mr. Pratt will be solicited. The Delegate arrived here last week, accompanied by Mr. George B. McClellan, his secretary. The Delegate is staying this winter at 1445 Massachusetts Avenue. They called on the President at the executive offices Saturday last.

There is still another postmastership in Hawaii soon to be vacant. It is the office at Hilo, where Postmaster Madeira will give up his salary of \$2,200 to become a postoffice inspector in California. It is probable that C. R. Buckland, formerly of Freeport, L. I., and now in the Hawaiian Territorial service, will receive the appointment.

HONOLULU HARBOR.

It will be known in Honolulu long before this letter reaches there that President Roosevelt is going to call attention in his annual message to the necessity of improving Honolulu harbor. He assured Secretary Atkinson and also Delegate Kalaniana'ole of his personal interest in that subject and of his intention to recommend the appropriation by Congress. The unofficial plans for the project, as prepared by Lieut. Slattery, stationed at Honolulu, have been brought to Washington and Chairman Burton of the House Committee on Rivers and Harbors has had opportunity to see them. Secretary Atkinson talked with Mr. Burton and urged the importance of an appropriation. So did the Delegate soon after his arrival here. These conversations left no doubt that Mr. Burton is willing to do all he can towards securing a survey of Honolulu harbor, but it is more likely to be legislation of a general character for improvement of Hawaiian harbors, leaving it to the War Department to indicate where the money should be spent. Some, who have talked with Mr. Burton, think it improbable that anything more than authorization for a survey of Honolulu harbor will be secured at this session of Congress. The matter is in a somewhat uncertain state just at present but is being earnestly pressed upon the attention of the Committee and there are hopes of getting some appropriation that can be used immediately towards the permanent improvement.

WORK OF THE PATTERSON.

Secretary Atkinson, aware that the Coast and Survey vessel, the Patterson, is to winter in Honolulu, has written to the Department of Commerce and Labor asking that that vessel devote a part of the winter to secure soundings, making borings, and doing other preliminary work looking to the survey of Hilo harbor for the contemplated breakwater. The matter has also been brought to the attention of the War Department with the hope of having a man detailed to superintend the work.

STUDY OF LEPROSY.

One of the other matters that Secretary Atkinson has been helping all he can during his stay here is the appropriation of \$50,000 for the scientific study of a cure for leprosy in Hawaii. The President has been interested in the matter and Congress will be strongly requested to appropriate that sum. A bill providing for such an appropriation has been drawn by Mr. Atkinson; also bills covering the proposed improvements in Honolulu and Hilo harbors, the erection of Federal buildings in both cities and for refunding to the Territory \$175,222 already spent on dredging the harbor at Honolulu. Mr. Atkinson has discovered that the formality of having bills on all these topics introduced and referred to the proper committee is of some importance, when the time comes for any committee to act. He has taken up at the War Department the question of furnishing beef to the transports stopping at Honolulu and has had a letter on the subject addressed to the Commissary headquarters at San Francisco.

HAWAIIAN COFFEE.

The President's attention has been called to the discrimination in the Commissary Department of the army against the coffee of Hawaii and Porto Rico. Both Gov. Winthrop of Porto Rico, who has been here, and Secretary Atkinson joined in telling the President of the conditions by which the Commissary Department excludes the products of the outlying islands. The subject was taken up in Gov. Carter's report but was presented so emphatically, although truthfully, that the Department of the Interior feared it might be construed as a criticism of the War Department. The matter was accordingly embodied in a personal paper, which is included in Gov. Carter's report. The custom of including in the specifications such words as "Rio preferred" or "on a Rio basis" is now thoroughly understood here and something will probably be done to eliminate that hereafter and allow the use by the army of the surplus coffee product of Porto Rico and Hawaii.

LEGISLATIVE EXPENSES.

The Hawaiian Delegate presented Saturday to the sub-committee on appropriations, which is preparing the legislative, executive, and judicial appropriation bill, a statement asking that that measure include an appropriation for the legislative expenses of the Hawaiian Territory. Congress does appropriate such expenses for the other Territories but no provision was made for Hawaii in the Organic Act. The sub-committee took the matter under consideration, but it is realized that the time is short, as the bill will probably be reported to the House next Wednesday—day after tomorrow. If the House fails to take up the item, an effort will be made to have it included in the Senate.

Ex-Queen Liliuokalani is at 1729 Twenty-first street, n. w., for the winter. This is a different residence from the one she occupied when last here. She had a pleasant journey across the continent and her friends say she is really becoming attached to Washington as a place of residence. Her wards are here with her.

ERNEST G. WALKER.

WM. BLAISDELL DIED LAST NIGHT

William Blaisdell died last night at 11:30 from the effects of a paralytic shock received at 5:30 o'clock in the afternoon.

Mr. Blaisdell was at John Colburn's residence when he was stricken. He had complained of severe pains in his head. Dr. Wood, who was called, had the patient sent home and put to bed. Mr. Blaisdell was asleep and resting easily at 9 o'clock. No change was noted until 11 o'clock, when he began to sink rapidly. The patient never awoke.

Deceased was a native of Honolulu and spent most of his boyhood and young manhood in the employ of Captain Makee. Later he became an employee and manager of Captain Spalding's Kealia plantation on Kauai. About ten years ago Mr. Blaisdell left the sugar business and for the last four or five years had been in the insurance line.

Mr. Blaisdell was a quiet man, well set up physically and with a florid complexion. Those who did not know him by name will recall him as the inseparable companion of Mr. Colburn, the Prince and of others connected with the Kapolani estate.

The funeral services will take place at 3 o'clock this afternoon at the late home of the deceased, Young street, near Piliok.

SATURDAY'S DOINGS AT THE COURTHOUSE

Judge De Bolt sustained the demurrer to the plea in abatement in the suit of W. W. Bierce, Ltd., vs. Clinton J. Hutchins, trustee, et al., and plaintiff noted exceptions. Argument on demurrer to complaint was set for 9:30 Monday. S. H. Derby and C. A. Galbraith for plaintiff; J. W. Cathcart and Castle & Withington for Hutchins; Smith & Lewis for C. B. Wood and Wm. Waterhouse and Albert Waterhouse, executors.

L. F. Alvarez by his attorney, Frank Andrade, filed a motion for a decree pro confesso in his foreclosure suit against Mary Bertelmann and husband, James E. Fullerton and Samuel Savidge, trustees. An affidavit by George Lucas, clerk, shows that defendants failed to answer the complaint within the ten days allowed after the overruling of the separate demurrers.

Territory of Hawaii by Lorrin Andrews, Attorney General, is suing Moses and L. K. Puahi and Tam Wong in ejectment for a portion of the land of Kaneohe at Waikiki containing an area of 20.85 acres. Damages of \$2000 for wrongful acts of the defendants are claimed.

The Frank Antone heirship matter went over before Judge Robinson, a commission to issue in the meantime to take testimony at San Diego, Cape Verde Islands. A woman claiming to be a daughter appeared with Cecil Brown as counsel. A. G. Correa represented the mover for a commission, who claims to be a nephew of deceased. There is \$300 at stake.

Judge Robinson granted a decree of foreclosure in the suit of Allen & Robinson vs. J. K. and E. K. Nakookoo, appointing M. T. Simonton commissioner of sale under a bond of \$500. Holmes & Stanley for plaintiffs.

W. C. Achi, Kapolani Estate, Ltd., W. R. Castle and J. M. Monsarrat, defendants in the foreclosure suit of H. Hackfeld & Co., Ltd., vs. W. C. Achi and others, have filed notice of appeal from Judge Robinson's decree confirming the sale of property.

Smith & Lewis for plaintiff in the foreclosure suit of George Tournay vs. The Orpheum Co., Ltd., give notice of motion for tomorrow at 10 a. m., to set for hearing the demurrer and the plea of defendant.

The final accounts of John H. Craig, temporary administrator of the estate of Constant Sterling, were approved by Judge Robinson and a fee of \$33.70 allowed for services.

Judge De Bolt granted a divorce to K. M. Keallihoolu against her husband, Keallihoolu, on the ground of non-support. E. Johnson for libellant, no appearance of or for libellee.

A. S. Humphreys filed defendant's bill of exceptions in the suit of R. C. A. Peterson vs. Elizabeth S. Church, to a jury's verdict for \$375.

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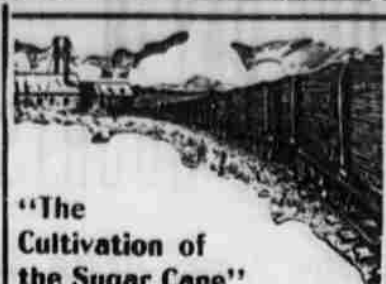
than by any other known combination. So surely as it is taken in accordance with the printed directions accompanying it, will the shattered health be restored, the EXPIRING LAMP OF LIFE LIGHTED UP AFRESH, and a new existence imparted in place of what had so lately seemed worn-out, "used up" and valueless. This wonderful medicine is purely vegetable and innocuous, is agreeable to the taste—suitable for all constitutions and conditions, in either sex; and it is difficult to imagine a case of disease or derangement, whose main features are those of debility, that will not be speedily and permanently benefited by this never-failing recuperative essence, which is destined to cast into oblivion everything that had preceded it for this widespread and numerous class of human ailments.

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General Insurance Co. for Sea River and Land Transport of Dresden.

Having established an agency at Honolulu and the Hawaiian Islands, the undersigned general agents are authorized to take risks against the dangers of the sea at the most reasonable rates and on the most favorable terms.

F. A. SCHAEFER & CO., Agents for the Hawaiian Islands.

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C. BREWER & CO., LTD.,

Honolulu.

REAL ESTATE TRANSACTIONS.

Entered for Record Dec 15, 1904.

G R Carter to Esther Shaw.....Agmt
Kaplanian Est Ltd et al to William O Smith et al.....Asmt

Recorded Dec 8, 1904.

Rebecca Houghtaling (widow) to Emily Bemrose (Mrs), M; lots 52, 53, 54 and 55 R P 3546, kul 10498, Kamehameha IV Road, Honolulu, Oahu. \$800. B 260, p 325. Dated Dec 6, 1904.

Kaluna Lansing and hsb (D) to F A Schaefer, D; por R P 6999, kul 7824, Lauka, Hamakua, Hawaii. \$100. B 264, p 241. Dated Dec 6, 1904.

Wong Chong to Ching See, D; por R P 1985, kul 6245, ap 2, Kamakela, Honolulu, Oahu; lots 12 and 13 of R P 1985, kul 6245, ap 1, Kamakela, Honolulu, Oahu. \$3000. B 264, p 243. Dated Oct 25, 1904.

E. C. H. Hobron and wf to A. Ferdinand West, D; lots 23 and 24, blk 13E, Kapahulu tract, Honolulu, Oahu. \$900. B 264, p 245. Dated Dec 2, 1904.

Claus Spreckels & Co by atty to E C Hobron, Par Rel; lots 23 and 24, blk 13E, Kapahulu tract, Honolulu, Oahu. \$900. B 264, p 246. Dated Dec 3, 1904.

Julia H. Afong to William F. Allen, Rev. P. A.; powers granted in Liber 205, fol 169. B 265, p 225. Dated Dec 6, 1904.

Julia H. Afong to Albert Afong, P. A.; special powers. B 265, p 228. Dated Dec 7, 1904.

Koloa Sugar Co to D. Paul R. Isenberg, L; shooting rights on lands of company on Kauai. 5 yrs at \$50 per yr. B 263, p 179. Dated Feb 1, 1904.

Hawa Realty & Maturity Co Ltd to Napoe, Rel; 1 58-100 acr land, Heala, Koolau-poko, Oahu. \$125. B 145, p 449. Dated Dec 3, 1904.

George N. Rutherford and wf to Alice K. Weaver, D; lots 8 and 9, blk 5, Kapahulu lots, Honolulu, Oahu. \$350. B 264, p 246. Dated Dec 8, 1904.

J. D. Avery to J. A. Combs, B S; judgment dated Nov 22, 1904, for \$123.37, against C. H. Pfeiffer. \$5. B 265, p 327. Dated Dec 8, 1904.

Entered for Record Dec 15, 1904.

Carl Isenberg by atty to E. W. Jordan, Edward W. Jordan and wf to Carl Isenberg. M

Francis M. Swanzey to Hamakua Mill Co Ltd. L

Francis M. Swanzey to Hamakua Mill Co Ltd. L

McBryde Sugar Co Ltd to D. P. R. Isenberg. L

D. Paul R. Isenberg to W. H. Rice Jr. P A

D. L. Akwai to Dai Kon Fook. B S

Hoopikane and hsb to Angelina Houghtaling. D

D. L. Nakai to Chang Kyau. B S

Manuel de Quadros to Territory of Hawaii. D

W. F. Frear and wf to Territory of Hawaii. D

Peter C. Jones Ltd to W. F. Frear Bank of Hawaii Ltd to E. W. Jordan. P R

Edward W. Jordan and wf to Bank of Hawaii Ltd. M

Clemintina A. Alvarez by atty to Antonio Enos and wf to Vincent F. Sylva. Rel

Frederick S. Lyman to Trs Est S C Allen. D

Recorded Dec 9, 1904.

Queen's Hospital to Harriet O. Cooper, Rel; por gr 3291, Hassinger and Pilko streets, Honolulu, Oahu. \$7500. B 262, p 137. Dated Dec 6, 1904.

Harriet O. Cooper to Cecil Brown, P A; general powers. B 274, p 6. Dated Nov 29, 1904.

Harriet O. Cooper by atty and hsb (W. G.) to Herbert P. Eakin, D; por gr 3291, Hassinger and Pilko streets, Honolulu, Oahu. \$6500. B 264, p 248. Dated Dec 6, 1904.

Herbert P. Eakin and wf to Queen's Hospital, M; por gr 3291, Hassinger and Pilko streets, Honolulu, Oahu. \$6000. B 260, p 328. Dated Dec 6, 1904.

E. C. H. Hobron and wf to Maria I. Vieira, D; lot 24 and east half of lot 23, blk 7E, Kapahulu tract, Honolulu, Oahu. \$600. B 264, p 249. Dated Dec 7, 1904.

Claus Spreckels & Co by atty to E C Hobron, Par Rel; lot 24 and east half of lot 23, blk 7E, Kapahulu tract, Honolulu, Oahu. \$150. B 264, p 250. Dated Dec 8, 1904.

Maria I. Vieira and hsb (V. S.) to E G Ferreira, D; lot 24 and east half of lot 23, blk 7E, Kapahulu tract, Honolulu, Oahu. \$800. B 264, p 251. Dated Dec 9, 1904.

C. Bolte Tr to Abr H. Barenaba, Rel; R P 1026 and 1025 bldgs, etc, Heala, Koolau-poko, Oahu. \$133. B 256, p 98. Dated Dec 8, 1904.

Aberahama H. Barenaba to William Henry, M; R P 1026 and 1025, bldgs, etc, Heala, Koolau-poko, Oahu. \$150. B 260, p 331. Dated Dec 9, 1904.

Entered for Record Dec 17, 1904.

Yee Wo to Chee Yee. L

J. W. Kato to Samuel Andrews. Rpt

Andrew Cox to Yau Lee Yuen. L

Manuel da S. Orla to Joseph Quelho. Rel

John Kahuli et al to E. Faxon-Bishop, Tr. M

David Kaipa to Trs of Est of B P Bishop. S L

Wong Tong to Siu Ten Yee. B S

Siu Ten Yee to Pang Jing. B S

John Martins to Maria de J. Martins. D

Jose M. Macarao and wf John C. Pinho. D

Paahao and wf to Jose M. Ferreira. D

Jose M. Ferreira to A. B. Lindsay. M

J. Kahapua and wf to Manoel J. Medeiros. D

Antonio R. Lucas and wf to Peter Silva. D

Recorded Dec 10, 1904.

James A. Hopper Co Ltd to H. A. Heen, Rel; 4 leaseholds, mill, bldgs, crops of paddy, livestock, furniture, tools, fixtures, etc, Kamohilili, Honolulu, Oahu. \$3000. B 215, p 221. Dated Aug 11, 1904.

Wong Leong to Min Yee, L; 3 pec land, Kailua, Koolau-poko, Oahu. 15 yrs at \$225 per annum. B 263, p 180. Dated Oct 1, 1904.

Oahu Railway & Land Co to Emma L. Dillingham, D; lots 6 and 7, blk 25 and lots 4, 5, 16 and 17, blk 26, Pearl City, Ewa, Oahu. \$1000. B 264, p 252. Dated May 18, 1904.

S. C. Allen Est of by Trs to Oahu Railway & Land Co. A M; mtg F J Cross et al on 3 leaseholds, bldgs, etc, King street, Honolulu, Oahu. \$1. B 260, p 333. Dated Nov 25, 1904.

Mary L. Porter (widow) to Daniel Porter, D; 18-100 acr land, Church St, Hilo, Hawaii. \$1210. B 269, p 1. Dated Oct 10, 1904.

Chas. Moore and wf to Court of Manuwa Kea No 8554, Ancient Order of Foresters by Trs, M; pe land, Puaeo, Hilo, Hawaii. \$350. B 268, p 1. Dated Nov 18, 1904.

Zelubabera Kakina and wf by affit of mtgee to Albert S. Wilcox, Forc Aft, 1 acr land, Oloheana, Kauai, Int in hui land, Wainiha, Hanalei, Kauai. B 260, p 334. Dated Dec 10, 1904.

INFLUENZA

Can be cured by commencing at the first symptoms to use Chamberlain's Cough Remedy. Thousands have used this remedy during the past year, and we have to learn of a single case where they were not pleased. For sale by All Dealers and Druggists. Benson Smith & Co., Ltd., Agents for Hawaii.

COMMERCIAL NEWS

BY DANIEL LOGAN.

There has been a general tone of strength in the stock market for the week. Very little is doing in bonds, most issues having been taken up at par. Stocks have not shown any decided change excepting McBryde, which seems to be the feature of the market. It is reported on the street that 1,400 shares sold at \$7 a share or better. Listed sales range from \$5 to \$7.50 for considerable blocks, and a small lot sold as high as \$7.25. A large block has passed at \$7.25. When it is remembered that 2,680 shares of McBryde were sold in November at from \$3.75 to \$5, the advance of this stock will be appreciated. Reason therefore may be found in the strong impression abroad that the company will ere long float its bonds and thus liquidate its current indebtedness. It is generally recognized that the plantation is on the right side at last and making money, so that if the bonds be sold nothing can keep the stock down. Wailua has picked up a little, but is offered in rather limited amounts. There were sales yesterday of 75 to 100 shares at \$69 and \$70. The increased favor of Wailua is due to the new water development. Kahuku has taken a jump. A block of 2,700 shares sold lately at \$17.50. Last year's crop was 6,360 tons, while this year's is expected to be fully 8,000 tons. Oahu is a subject of strong inquiry at \$102.50 bid, an advance from last week. With the current price of sugar continued, it is confidently believed that Oahu will, about the middle of the year, go from a one-half per cent. monthly to a one per cent. monthly basis. Against last year's crop of 20,870 tons, Oahu is expected this year to yield 30,000 tons—this on a capitalization of \$3,600,000, as compared with Ewa's \$5,000,000, and crop about the same as Oahu's. This practically assures a wiping out of its indebtedness, with the certain consequence of doubling its dividend. Ewa has gone up about a point, being expected to revert to 1 per cent. monthly. It is being sought after largely in blocks of 500 to 1,000 shares at \$28. Pioneer is also strong, being sought at \$125. Sales took place yesterday, however, at \$127.50. Wai'alea sugar mill is a coming buy, promising 1,400 tons this year against 627 last. Onomea will have a big surplus this year, which should make it a 1-1/2 per cent stock. Hawaiian sugar will continue its 1 per cent. basis. An unlisted sale of 500 shares at \$32 is reported. Hawaiian Agricultural is regarded by the wise as a good buy at par. Large transactions have occurred in Kihai, which have not been reported on the exchange. Six or seven thousand shares have changed hands at from \$12 to \$12.50.

Oahu Railway & Land Co. has risen several degrees. There were sales of 150 shares at \$70, showing that people are beginning to realize that this is a good investment stock. Inter-Island Steam Navigation Co., another steady investment, has gone to \$115 bid. There is outside information of a sale of C. Brewer & Co., Ltd., at \$325 and the stock is expected undoubtedly to reach \$400.

The San Francisco market for Hawaiian stocks is strong, though quotations by cable are less frequent than hitherto. There is a demand from there for Wailua and Hawaiian Sugar. Raw sugar at New York continues at 4.65 cents, but 88 analysis beets has advanced. Willett & Gray's (N. Y.) circular for Dec. 1, says: "Taking America as normal basis, we find that the speculative Europe is 20c now above our parity, the chances being, however, that the spirit of speculation will prevent a decline in Europe to the parity of our market. It is much more likely, viewed from the statistical position, that the speculative movement in Europe will soon be renewed with more vigor than ever, especially for contract sugar during the next summer months, which are quoted relatively cheaper than earlier deliveries."

THE WEEK'S TRANSACTIONS.

Following are the listed sales on the Honolulu Stock and Bond Exchange for the week in the order made as to each security:

Kahuku Plantation Co. (par \$20), 25 shares at \$26.50, 150 and 25 at \$25; Oahu Sugar Co. (par \$20), 60 shares at \$5; Kihai Plantation Co. (par \$50), 100 shares at \$12.57 1/2, 24 at \$13.109 at \$12.50, 25 at \$12.100 at \$12.50; Ewa Plantation Co. (par \$20), 150 and 160 shares at \$27.100 at \$27.87 1/2; Pioneer Mill Co. (par \$100), 25 shares at \$125.7 at \$127.50; Oahu Sugar Co. (par \$100), 19 shares at par; McBryde Sugar Co. (par \$20), 180 shares at \$5.75, 340 at \$7.25; Hawaiian Sugar Co. (par \$20), 500 shares at \$32; Oahu Railway and Land Co. (par \$100), 65 shares at \$70; Hawaiian Commercial & Sugar Co. (par \$100), 150 shares at \$74.50; Wailua Agricultural Co. (par \$100), 25 shares at \$65.50; Honolulu Rapid Transit and Land Co. (common (par \$100), 5 shares at \$65; Wailuku Sugar Co. (par \$100), 10 shares at \$275; O. R. & L. Co. 6 per cent bonds, \$7000 and \$1000 at 104.32wa Plantation Co. 6 per cent bonds, \$1000 at par; Kahuku Plantation Co. 6 per cent bonds, \$1000 at par.

Dividends announced on the 15th were: Oahu Railway and Land Co., one half per cent; Oahu Sugar Co., one half per cent; Pepee Sugar Co., 1 1/2 per cent; Hawaiian Sugar Co., 1 per cent.

REAL ESTATE.

Dealers in real estate are beginning to look cheerful again. Not that there are many or large transactions, or even any definite hardening of values, but there is something doing where nothing had been done for a long time. Inquiries for suburban lots are increasing, with occasional sales ranging from \$200 to \$500 for, say 15,000 square feet. As dealers get lots off their hands they reduce their dead weight of taxes. At present not much cash is going for house lots, payment by installments being the rule.

At Morgan's auction rooms yesterday the Queen's Hospital as mortgagee bought in under foreclosure the Dow residence on Punchbowl for \$3750. H. P. Eakin has bought the Cooper premises at Hassinger and Pilko streets, paying \$6500 and assuming a mortgage for \$6000. The United States Government has paid for portions of the Puu-ua lands wanted for forts. Several conveyances of land to the Wailua Water Co. are recorded. An unconfirmed rumor is that Colonel Saml Norris has sold Kahuku ranch, Hawaii, to C. Bolte for \$140,000. Franz Buchholz's purchase of the Achi ranch, South Kona, under foreclosure, now pending an appeal to the Supreme Court against confirmation. The Government sold at auction 1:52 acres on Tantalus to E. H. Wodehouse for \$1821; 6731 square feet at Diamond Head to R. C. A. Peterson, agent, for \$367.55, and lease for five years of 347 acres at Kula-manu, North Hilo, to C. Brewer & Co. for \$2200 a year. Among deeds recorded are one from Maud E. Freeman et al to Mrs. Mary Phillips of 19,380 square feet at Fort and Kukui streets for \$3750, and one from James B. Castle to Territory of Hawaii of Pauoa land for \$2450.

GENERAL REVIEW.

Yesterday afternoon and evening Honolulu took on a brilliant holiday aspect, with all appearances of brisk business. A most creditable window and interior display is made along the principal retail streets. Buoyant is the word to describe general business anticipations for the new year. Secretary Atkinson has closed a deal in New York for the new Territorial public improvements loan of one million dol-

lars upon an offer of \$1000 premium for the entire issue at 4 1/2 per cent interest. A bill has been introduced in both Houses of Congress appropriating \$1,400,000 for a Federal building in Honolulu. It is generally understood the measure is for the purchase of the Alexander Young building, but private advices from Washington are to the effect that the money will be appropriated regardless of any previous recommendation of either building or site. The Bishop estate is slated to have 20,000,000 feet of marketable koa timber on the island of Hawaii, which, being valued at \$100 per thousand, would, if exported, make the first lumber trade of any consequence these islands have had since the exhaustion of the sandalwood forests several decades ago. Geo. Lycurgus, an experienced caterer, has taken the control and management of the Volcano House, purposing by improvements and reduced rates to popularize the resort with residents, as well as tourists. The Chamber of Commerce has voted, through its directors, to continue support to tourist promotion work. A visit is shortly expected from the French cruiser Protet. Honolulu will achieve manufacturing fame through a contract just awarded to the Honolulu Iron Works Co., in competition with mainland foundries, for a large sugar mill to be erected in Mexico. Up to last night the trouble about the contract for the new Insane Asylum buildings had not been settled. By judicial authorization the Hanna Plantation Co.'s property may be sold in parcels if it cannot be as a whole, at the foreclosure sale. The Government has created a forest reserve in the District of Makawao, Maui. A strike of Japanese laborers on McBryde plantation was stopped at incipency by vigorous action of Manager Stodart. Lord & Belsor have been awarded the contract for erecting Government workshops in Honolulu. Contractors say that the Government is getting its work done cheaper through keen competition for contracts than similar work can be obtained by private individuals without public invitation of bids. The Chamber of Commerce has secured convenient and suitable quarters on the third floor of the Stangenwald building. The Governor's solicitation of ideas on amendments to the liquor laws has produced a warm discussion between the jobbers and the retailers. Superintendent Holloway has announced a purpose of giving Honolulu a sufficient water supply by a gravity system. The Board of Equalization, consisting of the Territorial tax assessors, adjourned their annual meeting to March 6. Dr. N. Russel, through the Advertiser, has put forth the opinion that a commercial supply of iron can be produced from Hawaiian soil. Bids are in the hands of the Superintendent of Public Works for the road from Kahakiki to Honakua and school-houses at Olua, Halekahu, Kaauehu and Kawaihae.

For a University Club.

At a meeting of the committee on the organizing of a University Club, appointed at the Yale-Harvard dinner, additions were made to its number and various sub-committees appointed. The enlarged committee consists of Geo. R. Carter, A. F. Judd and R. B. Anderson of Yale, S. H. Derby and J. T. Crawley of Harvard, F. J. Church of Princeton, Dr. F. Howard Humphris of Edinburgh, A. L. C. Atkinson of Michigan and Percy Benson of California. It was reported there were 200 persons in Honolulu eligible to membership.

Mrs. E. Faxon Bishop is expected to arrive on the Siberia Friday.

BEAUTIFUL SKIN

Soft White Hands
Luxuriant Hair
Produced by
CUTICURA SOAP.

MILLIONS OF WOMEN USE CUTICURA SOAP exclusively for preserving, purifying, and beautifying the skin, for cleansing the scalp of crusts, scales, and dandruff, and the stopping of falling hair, for softening, whitening, and soothing red, rough, and sore hands, in the form of baths for annoying irritations and chafings, or too free or offensive perspiration, in the form of washes for ulcerative weaknesses, and for many antiseptic purposes which readily suggest themselves to women and especially mothers, and for all the purposes of the toilet, bath, and nursery. No amount of persuasion can induce those who have once used it to use any other, especially for preserving and purifying the skin, scalp, and hair of infants and children. CUTICURA SOAP combines delicate emollient properties derived from CUTICURA, the great skin cure, with the purest of cleansing ingredients, and the most refreshing of flower odors. No other medicated soap ever compounded is to be compared with it for preserving, purifying, and beautifying the skin, scalp, hair, and hands. No other foreign or domestic toilet soap, however expensive, is to be compared with it for all the purposes of the toilet, bath, and nursery. Thus it combines, in ONE SOAP at ONE PRICE, the BEST SKIN and complexion soap, the BEST TOILET and BEST BABY SOAP in the world.

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Diarrhoea, Spasms, etc.,
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ARRIVED.

ARRIVED.

Sunday, Dec. 18.
 Strmr. Claudine, Parker, from Maui ports.
 Strmr. W. G. Hall, Thompson, from Kauai ports, 2:50 a. m.
 Friday, Dec. 16.
 O. S. S. Alameda, Dowdell, from San Francisco, 8:30 a. m.
 Am. bk. St. Katherine, Saunders, from Hilo, 8 a. m.

Saturday, Dec. 17.

C. A. S. S. Moana, Gibb, from Vancouver, 8 a. m.
 Strmr. Kinau, Freeman, from Hilo and way ports, 10:12 a. m.
 Am. bk. Archer, Lancaster, 17 days from San Francisco, 8 a. m.
 Strmr. Likelike, Naopala, from Maui and Molokai ports, 2:30 p. m.
 Strmr. Noeau, Tullett, from Kilauea with 1500 bags sugar, 7:40 a. m.
 Strmr. Kaula, Pederson, from Hawaii ports, with 30 cattle, 6:30 a. m.
 Schr. C. L. Woodbury, Harris, from Hilo, 7:30 a. m.
 Strmr. J. A. Cummins, Searle, from Waimanalo and all Koolau ports, 7:50 p. m.

Monday, December 19.

Strmr. J. A. Cummins, Searle, for Koolau ports, 9 a. m.
 Strmr. Likelike, Naopala, for Maui and Molokai ports, 5 p. m.
 Strmr. Nihau, W. Thompson, for Lahaina, Kaanapali, Honokaa and Kukuhaele, at 5 p. m.
 Strmr. Noeau, Tullett, for Kauai ports, 5 p. m.

DEPART TODAY.

S. S. Gaelic, Finch, for the Orient, probably sail in afternoon.
 Strmr. Kinau, Freeman, for Hilo and way ports, at noon.
 Strmr. Claudine, Parker, for Maui ports, at 5 p. m.
 Strmr. W. G. Hall, S. Thompson, for Kauai ports, at 5 p. m.

PASSENGERS.

Arrived.

Per strmr. Likelike, for Molokai and Maui ports, December 19—W. D. Wilder, E. C. Wilder, Mrs. E. Devauchelle and two children, S. G. Wight, Mrs. Nakulua and child.

Per S. S. Moana, Dec. 17, from Vancouver for Honolulu—Rev. Father Lee, J. McAdam and wife, Master G. D. Stevens, Miss J. Stevens, W. H. Burgess, G. E. A. Good, F. J. Calloway, C. E. Meston and wife, Mrs. Wood, Thomas Jenkins, F. Garland, L. Hagelston, H. Dyke, W. J. Ramsay, George Campbell, C. H. W. Norton, Charles Warren.

Per strmr. Likelike, Dec. 17, from Molokai ports—Rev. Father James, Miss Gertrude McCriston, Miss Hana, Geo. McCriston, Miss Lucy Fountain, Miss Hattie Fountain, Miss I. W. Iokila, M. K. Nakulua.

Per strmr. Kinau, Dec. 17, from Hilo and way ports—James K. Beriger and wife, C. R. Shaw, G. C. Bailey, J. Lightfoot, Klu Cunk Kul, D. Billacnach, D. Conway, E. J. Walker, F. J. Lindeman, H. H. Seovel, J. Killar, Mrs. C. H. Swain, Alex. McBain, Senator John T. Brown, T. Wolff, George F. Renton, Miss Ida G. MacDonald, Miss W. Sharp, James Sakai, Master K. Blake, M. Avon, W. A. Chu Akaka, Eli Snyder, Miss Helen Ross, C. V. Sturtevant, A. V. Peters, Mrs. S. M. Kanakam, son and servant, M. Poepoe, Wm. Green, W. A. Ramsay, George Hillisanda, W. Lams, R. Layard.

Per strmr. Kaula, Dec. 17, from Hawaii ports—John Campbell, Thomas Lawson, C. W. Ashford, P. M. Pond and 8 deck.

Per strmr. W. G. Hall, December 18, from Kauai ports—G. N. Wilcox, J. R. Bergstrom, W. F. Reynolds, Miss M. Christian, Miss K. Christian, Mrs. M. Mendola, John Mendola, J. Nevins, William Williamson, F. H. Kuhlmann, Miss A. Danford, Miss M. Trask, E. P. Dahl, Tock Yuen, J. Kanishige and 55 deck.

From Maui, per strmr. Claudine, December 18—Mrs. W. F. Mossman, Miss McGowan, Mrs. H. A. Baldwin, R. Plunkett, wife and child, Mrs. D. H. Case and two children, Miss Hadley, W. J. Coelhoe, Master W. K. Aluli, J. P. Cockett, Master Lyons, C. W. Baldwin, J. A. Reid, J. W. Springston, Rev. Hang Chi Pum, K. Muraoka, S. Kojima, W. C. Crook, Miss Irene Crook, W. Berlowitz, Mrs. W. A. Hardy, Mrs. J. Lucas, E. Worthington, wife, two children and servant, H. A. Isenberg, W. Potenhauer, A. Wendroth, Mrs. Thomas Dunn, P. N. Booth, H. M. Gittel, Charles Tetzlaff, W. E. Shaw.

VESSELS IN PORT.

ARMY AND NAVY.

U. S. S. Iroquois, Niblack, Station vessel.
 U. S. S. Petrel, Sherman, Station vessel, San Diego, Dec. 8.

MERCHANT VESSELS.

Alameda, ss., Dowdell, San Francisco, Dec. 16.
 Archer, Am. bk., Lancaster, San Francisco, Dec. 17.
 Coronado, Am. bk., Potter, San Francisco, Nov. 23.
 C. Kennedy, Am. schr., Miller, Port Townsend, Dec. 14.
 Defiance, Am. schr., Salsitzke, Grays Harbor, Dec. 13.
 Dirigo, Am. sp., Goodwin, Shanghai, Dec. 13.
 Erskine M. Phelps, Am. sp., Graham, Philadelphia, Aug. 31.
 Mary E. Foster, Am. schr., Willer, Port Gamble, Dec. 1.
 Olympic, Am. bk., Evans, San Francisco, Dec. 12.
 Primus, Ger. bk., Bohndorf, Leith, Dec. 12.
 R. P. Rithet, Am. bk., McPhail, San Francisco, Dec. 10.

METEOROLOGICAL SUMMARY FOR MONTH OF NOVEMBER

METEOROLOGICAL RECORD FOR THE MONTH OF NOVEMBER, 1904. (in Hawaiian Islands). UNITED STATES DEPARTMENT OF AGRICULTURE, WEATHER BUREAU.

Approximate percentages of district rainfall as compared with normals: Hawaii—Hilo, 70 per cent; Hamakua, 142 per cent; Kohala 140 per cent; Kona, 28 per cent; Kau, 11 per cent; Maui (East) 130 per cent; Oahu—Honolulu, 103 per cent; Nuuanu, 87 per cent; Koolau, 104 per cent; Ewa, 83 per cent.

Kauai—Lihue, 43 per cent; Hanalei, 34 per cent; Waima, 28 per cent. The greatest monthly rainfall was 18.01 inches at Puuhou, Hawaii. The greatest twenty-four hour rainfall was 3.72 inches on the 27th, at the United States Magnetic Station, Oahu.

TEMPERATURE TABLE.

Station—	Elev.	Mn.	Mn.	Mn.	Dew Rel.
Hawaii—	ft.	mx.	ml.	mo.	H. L. Pt. hy.
Papeete	100	78	68	73	82 65
Hakalau	200	77	66	72	81 62
Ookala	400	78	66	72	83 61
Kohala Mission	521	77	66	72	82 62
Niuli	200	78	69	73	82 64
Volcano House	4000	70	51	60	75 47
Kau	1550	78	58	68	83 52
Pahala	850	82	64	73	88 61
Olaa Mill	210	81	59	70	83 54
Maui—					
Kaanapali	12	82	66	74	87 61
Wailuku	250	81	66	74	85 55
Kihel	(?)	82	67	74	89 61
Oahu—					
United States Weather Bureau	121	78	68	73	82 61 63 69
United States Magnetic Station	45	82	66	74	86 54 64 69
United States Experimental Station	350	80	68	74	84 60
Punahou	47	79	68	73	81 57
Ahulimanu	350	80	66	73	84 60
Waiawa	(?)	79	64	72	83 57
Ewa Mill	60	78	64	71	82 54 61 72
Kahuku	25	80	71	75	84 62
Kauai—					
Lihue	200	81	65	73	85 50
Kilauea	342	78	65	72	82 58
Kenia	15	79	67	73	83 58
Koloa	241	80	67	74	84 54
Makaweli	(?)	84	67	75	88 57
Kahoolawe—					
Kahoolawe	1420	88	71	79	102 64

Hawaii—Pepeekeo reports solar halos on the 28 and 29th; light earthquake shock at 8 p. m. of the 13th; heavy fall of snow and hills covered on the 28th; snow disappeared by the 30th.
 Niuli reports thunder on the 28th to northward of station.
 Oahu—United States Weather Bureau reports solar rainbows on various dates.

RAINFALL FOR NOVEMBER, 1904.

Stations—	HAWAII.	Elev.	Rain	OAHU.	Elev.	Rain
Hilo.				U. S. Weather Bureau	108	4.11
Papaikou	8.91			Punahou	47	6.36
Waiakea	50	5.19		Kulokahua (Castle)	50	4.94
Hilo (town)	100	5.78		U. S. Naval Station	6	4.25
Kaunapali	1050	7.86		College Hills	175	7.01
Pepeekeo	100	6.79		Manoa (Woodlawn Dairy)	285	9.21
Hakalau	200	9.16		Manoa (Rhodes Gardens)	300	14.74
Puuhou	1801	18.01		Innane Asylum	30	4.10
Laupahoehoe	500	13.30		Kalihi-uka	485	8.54
Ookala	400	9.58		Nuuanu (Hail)	50	4.38
Puueo	85	6.71		Nuuanu (Wylie St.)	250	5.32
Hamakua.				Nuuanu (Elec. Station)	405	5.30
Paualo	300	8.24		Nuuanu (Luakaha)	850	11.60
Kauai	250	8.71		U. S. Experiment Station	350	5.45
Honokaa (Melincke)	1100	14.50		Tantalus Heights (Frear)	1360	10.19
Kukuihaele	700	3.99		Waimanalo	25	6.37
Kohala.				Maunawili	250	8.17
Niuli	200	6.32		Kaneohe	100	4.88
Kohala (Mission)	521	6.47		Ahulimanu	350	7.98
Kohala (Sugar Co.)	600	6.19		Kahuku	25	6.13
Hawi Mill	600	6.43		Ewa Plantation	60	3.05
Puukoa Ranch	600	4.71		U. S. Magnetic Station	45	4.94
Puuhoe Ranch	1847	5.87		Moanalua	15	3.76
Waima	2720	3.89		Waiawa	677	6.77
Awini Ranch	1100	13.12		KAUAI.		
Kona.				Wilcox Ditch	725	3.50
Huehue	2000	0.15		Mahaulepu	90	3.87
Holualoa	1350	1.08		Koloa (Kukuihala)	100	2.68
Kealahou	1580	1.34		Makaweli	722	2.22
Kealahou (Wallace)	25	1.27		Lihue (Weber)	200	2.88
Napoopoo	25	0.55		Lihue (Grove Farm)	200	2.74
Puuhawaa Ranch	2736	0.33		Lihue (Molokaa)	250	2.90
Kau.				Lihue (Kukuihala)	1000	4.51
Kau	1850	1.97		Kealia	15	1.87
Honouliuli	25	0.85		Kilauea Plantation	342	2.62
Nalehu	650	0.70		Waiawa	30	1.10
Hilea	810	0.50		Eleele	150	1.30
Pahala	850	0.12		Wahiawa	150	1.77
Volcano House	4000	0.21		McBryde	900	2.99
Kea Homesteads	2000	2.21		Lawai (Gov. Road)	450	3.96
Olaa Mill	210	1.98		Lawai West	225	2.00
MAUI.				Lawai East	800	3.77
Kaanapali	12	2.83		Lawai Beach	5	3.22
Kaupo (Mokulau)	285	3.62		Koloa	241	3.72
Kipahulu	308	3.73		Hanalei	200	2.45
Kihel	180	1.80		Olokele Valley	1310	4.12
Nahiku	850	11.25		Halaula	250	2.05
Haiku	700	6.43		Kapahi	300	3.30
Kula (Erehwon)	4000	2.65		DELAIED REPORTS FOR OCTOBER.		
Puomalei	950	9.50		Ewa Plantation, Oahu	50	1.97
Pala	180	5.10		Haleakala Ranch, Maui	2000	1.87
Haleakala Ranch	2000	7.59		Hawi Mill, Hawaii	600	1.79
Wailuku	250	6.07		ALEX. McC. ASHLEY.		
Kahului	309	3.09		Section Director.		

INSANE ASYLUM

(Continued from page 5.)

brick building, as I did those for the building contracted for."

WHAT PINKHAM SAYS.

Mr. Pinkham, also called before the Governor, said that he had made the concrete blocks spoken of, by hand, and had offered to construct a machine to do the same work—that is, to make blocks of the same kind as those shown to the Superintendent of Public Works. The Honolulu Iron Works had even set up the machinery to make the apparatus to be used in the construction of these blocks. It was a contract to make blocks with this machine that Heardslee had offered to the American-Hawaiian people during Pinkham's absence on Maui.

"But when I was appointed on the Board of Health I dropped the whole matter," said Mr. Pinkham to the Governor. "I have had nothing to do with the matter since then."

And at this point the matter rests with the refusal of the contractors to submit their case to arbitration. It is up to the territorial authorities to make the next move.

THE GOVERNOR SUMS UP.

"It is a regrettable thing all around," said Governor Carter, speaking of the matter yesterday. "I have failed to find any evidence of fraud in the contract, despite the charges made by the contractors. In fact, I had understood that they would not press the fraud charge—but, as they do show a disposition to cling to it, I must repeat that I can find no evidence of any wrong doing. If, under all the circumstances, I were to accept the proposition of the American-Hawaiian Company to cancel the contract, and release them from their obligation under it, I would be showing them too much favor. It would be unfair to the other contractors. So far as I can see, nothing remains but to refer the matter back to Mr. Holloway to insist upon the performance of the contract, or refer the case to the Attorney General for action against the contracting company under their bond."

"As nearly as I can size up the case from its presentation to me the contracting company has been too suspicious, too prone to believe that there exists a spirit in the Department of Public Works to be unfair to them. They have so worked themselves up that they can see but one side of the case—and cannot admit that there can be any other side."

"My idea is to go right into court, and have the thing out. All that the officers of the Territory want is to have this work done—but there is something more important even than that. Indeed, on a pinch, the insane

FULL INDEXING MADE OF THE ORGANIC ACT

The act passed by Congress creating a government for Hawaii repeals and amends scores of civil and criminal statutes previously enacted by Hawaiian legislatures.

No man knows what is in the Organic Act except through the medium of an index. The previously printed copies of this law in use in Hawaii contain only 657 indexed subjects.

The index of the Organic Act in the "Fundamental Law of Hawaii" contains 1399 indexed subjects and cross references.

REPEALED LAWS NOT HERETOFORE INDEXED.

Some of the Hawaiian Statutes repealed by the Organic Act, which are not indexed in the previous publication, but which are fully indexed in the Fundamental Law of Hawaii are as follows:

CIVIL LAWS.

Promulgation of Laws.
 Concerning the Hawaiian Flag.
 Concerning the Hawaiian Great Seal.
 Tenders for Supplies.
 Duties of Minister of Foreign Affairs.
 Diplomatic and Consular Agents.
 National Museum.
 Education of Hawaiian Youths abroad.
 Aid to Board of Education.
 Duties of Minister of Interior.
 Government Lands.
 Commissioners of Public Lands.
 Bureau of Agriculture and Forestry.
 Agriculture and Manufactures.
 Raffle, Raro Flour.
 Development of Hawaiian resources.
 Agriculture, Brands, Patents, Railroad subsidies, Hospitals.
 Coins and Currency.
 Consolidation of Public Debt.
 Post Office and Postage.
 Postal Savings Bank.
 Imports and Import duties.
 Ports of Entry.
 Collectors of Customs.
 Registry of Vessels.
 Customs House Charges.
 Elections, Appointment of Magistrates.
 Jurisdiction of Circuit Courts and Circuit Judges.
 Translation of Court Decisions.
 Jury Law, Maritime Laws.
 Naturalization, Habeas Corpus.
 Arrest of Debtors, Garnishment.

Liens on Vessels, Bankruptcy.
 Water Rights.

PENAL LAWS.

Treason, Foot Binding.
 Violation of Postal Laws, Blasphemy.
 Vagrancy, Manufacture of Liquors.
 Offenses on High Seas.
 Criminal Jurisdiction of District Magistrates.
 Criminal Jurisdiction of Supreme Court.
 Import Regulations.
 Auction Licenses.
 Commercial Travelers.
 Fire Arms, Coasting Trade.
 Peddling Goods.
 Importation of Live Stock.
 Imports, Quarantine.
 Consuls and Consular Agents.
 Whale Ships.
 Arrival, Entry and Departure of Vessels.
 Navigation, Fraudulent Exportation.
 Master and Servants.
 Immigration, Agriculture and Forestry.
 Seditious Offenses.
 Sailing Regulations.

SESSION LAWS.

Duties and Exemptions therefrom.
 Registry of Vessels, Elections.
 Importation of live stock.
 Pacific Cable.
 Consolidation of Public Debt.
 Ports of Entry.
 Chinese Immigration.

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MEMORIAL FOR FOUNDER OF KAMEHAMEHA SCHOOL

In song and story the memory of Bernice Pauahi Bishop was honored by the Kamehameha Schools last night in the annual Founder's Day Memorial Service. The Bishop Memorial Chapel was filled when the strains of the organ prelude played by Miss S. Lillian Byington announced the arrival of the speakers and other dignitaries who filed to seats on the platform. Besides the heads of the various departments of the schools, the speakers and representatives of the trustees, there were seated upon the rostrum the presidents and secretaries of the Alumni and Alumnae.

After the chorus, Pauahi Kealii, the school song, sung with inspiring effect by the entire student body, Rev. John L. Hopwood gave the invocation. The response, "Sanctus," was rendered by the choir boys with beautiful expression. President Perley L. Horne delivered the address of welcome, setting forth the aim of the school that every life it touched should be made better by its influence and welcoming the guests in the name of the school. After the President's address Mrs. Livingstone sang beautifully "The Good Shepherd."

Mr. Theodore Richards read the Scripture lesson from the third chapter of Proverbs and the choir girls sang the anthem, "I Will Sing of Mercy" by Novello. Governor George R. Carter was next introduced and made a straightforward, simple talk to the students. He spoke of the meaning of duty and character and told by practical examples what the students of the Kamehameha Schools could do for the Hawaiian race. He gave examples of Hawaiians who had succeeded in various lines and showed other lines that none had attempted. He suggested that there was a great field in these islands for literary work and closed by saying that the Hawaiian people were looking for a leader who should unify them as Kamehameha did, though in a peaceful way.

Following the Governor's address Mr. Stanley Livingstone sang "Fear not ye, O Israel" in a most pleasing manner. The second address followed, "The Open Door" by Rev. John W. Wadman. Mr. Wadman spoke eloquently on the open door of opportunity before the youth of the country drawing a lesson from the "open door" of Japan and the policy as applied to China. He paid a glowing tribute to the founder of the Kamehameha Schools who had opened a door for the education of her people which meant the opening of other doors of opportunity which would otherwise have been closed.

Dudley Buck's "Festival Hymn" was rendered by the choir and Rev. Henry R. Poepoe made the closing prayer in Hawaiian, the response, one of Queen Liliuokalani's, being sung by the choir girls. The singing of Hawaii Pono by the entire congregation and the benediction by Rev. W. M. Kincaid closed the services. The most striking feature of the evening was the beautiful singing by the school choir and by the whole student body which reflects great credit on the musical instructors.

anyone can wait for a little while, in the interest of fair play.

"When I said that I was willing to have this matter submitted to arbitration, I stood ready, in case the arbitrators decided that the specifications were ambiguous, to cancel the contract, to set aside the architect and his plans, and to start all over again. I would have been willing to do this

"But if there has been any fraud, I want to have it come out. I want to know it. High or low, I want to know it. If there has been fraud—and who has been guilty of it.

"Another thing, and it is no light thing. Contractors must be taught that they cannot lightly enter into and

COURT NOTICES.

HACKFELD VS. P. E. LAMAR.

IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT, TERRITORY OF HAWAII—OCTOBER TERM, 1904.

H. Hackfeld & Company, Ltd., a Corporation, Plaintiff, vs. P. E. Lamar, Defendant, The Pioneer Mill Co., Ltd., a Corporation, Garnishee. ORDER OF COURT FOR PUBLICATION OF SUMMONS.

Upon reading and filing the affidavits of L. N. Baldwin, and D. H. Case, and, it appearing to me therefrom that defendant P. E. Lamar, has removed from, and is now a non-resident of the Territory of Hawaii, and that he is now living in the city of San Francisco, State of California; and, it also appearing from said affidavits that a cause of action in assumpsit exists between said H. Hackfeld & Company, Ltd., as plaintiff, and said P. E. Lamar, as defendant, and that said P. E. Lamar is a necessary party thereto; and, it further appearing that a summons has been duly issued in the above entitled case, and due and diligent inquiry and search made for said P. E. Lamar for the purpose of making personal service thereof upon him as defendant, but that same was not and could not be had for the reasons hereinabove stated, and by said affidavits made to appear:

Now, therefore, it is ordered that service of summons in this action be made upon the defendant, P. E. Lamar, by publication thereof in the Hawaiian Gazette, a semi-weekly newspaper, published in the English language in Honolulu, Oahu, Territory of Hawaii, and hereby designated as a newspaper suitable for the advertisement of notice of judicial proceedings; that such publication be had and made at least once a week for four consecutive months; and

It is further ordered and directed that a copy of the summons and complaint in the above entitled case be forwarded forthwith by being deposited